



Issue Date: 16 January 2009

**OALJ Case No.: 2009-TLC-00019**

**ETA Case No: C-08359-16377**

*In the Matter of*

**Harvest Ridge Vineyards, LLC,**

*Employer*

Certifying Officer: Robert E. Myers  
Chicago Processing Center

### **ORDER OF DISMISSAL**

This matter arises under the temporary agricultural labor or services provision of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(a), and the implementing regulations at 20 C.F.R. Part 655, Subpart B. On January 5, 2009, Harvest Ridge Vineyards, LLC, (“Employer”) requested expedited administrative review of the Certifying Officer’s (“CO”) December 31, 2008 decision not to accept its application for temporary alien labor certification. *See* 20 C.F.R. §§ 655.104(c), 655.112(a). Employer’s request contained some legal argument.

On January 8, 2009, the Office of Administrative Law Judges received the case file from the United States Department of Labor’s Employment and Training Administration. On January 12, 2009, the undersigned issued an *Order Setting Briefing Schedule* permitting the parties to file briefs no later than 12:00 pm EST on Wednesday, January 14, 2009. The Order also required the parties to discuss resolving the matter and to provide a status report at the time either filed a brief.

On January 13, 2009, Employer filed a letter explaining that the CO has accepted Employer’s application, and Employer therefore withdraws its request for expedited administrative review. These developments obviate the need for further proceedings before this office. Accordingly, it is **ORDERED** that the Employer’s request for expedited administrative review is **DISMISSED** as moot.

**A**

**JOHN M. VITTON**  
Chief Administrative Law Judge