U.S. Department of Labor Office of Administrative Law Judges
Washington, D.C.

DATE: MAR 30 1990

IN THE MATTER OF

Randy Clanton/Hermitage Farms, Inc.
Respondent

CASE NO.: 90-TLC-15

DECISION AND ORDER

This matter was concerns a determination that the employer to this action violated the terms of its temporary labor certification. The employer filed an appeal with this office on March 15, 1990, contesting the Regional Administrator's determination.

Shortly after this appeal was filed, Respondent, the United States Department of Labor, filed a motion to dismiss on March 22, 1990. In support of its motion to dismiss, Respondent asserted that "[t]he Certifying Officer has withdrawn the final determination dated March 6, 1990, which formed the basis for the appeal in this matter. Consequently, we ask that the appeal in this matter be dismissed as moot." Respondent also noted that employer had no objections to this motion.

Respondent's motion to dismiss this matter on the grounds of mootness is GRANTED, given the facts and the apparent agreement of the Employer.

JOHN M. VITTONE
Deputy Chief Judge

JMV/DA/mb