

U.S. Department of Labor

Office of Administrative Law Judges
36 E. 7th St., Suite 2525
Cincinnati, Ohio 45202

(513) 684-3252
(513) 684-6108 (FAX)



Issue Date: 20 November 2014

OALJ Case No.: 2014-PED-00007
ETA No. C-12072-33523

In the Matter of:

**ADMINISTRATOR, OFFICE OF FOREIGN LABOR CERTIFICATION,
EMPLOYMENT AND TRAINING ADMINISTRATION,
UNITED STATES DEPARTMENT OF LABOR,**

Prosecuting Party,

v.

SEVER PETERSON FARM, INC.,

Respondent,

**ORDER GRANTING RESPONDENT'S REQUEST TO WITHDRAW
REQUEST FOR ADMINISTRATIVE HEARING AND DISMISSAL**

This proceeding arises under the Immigration and Nationality Act of 1952 (INA), as amended. 8 U.S.C. §1101, 1184, 1188; 20 C.F.R. §655, Subpart B. Section 218 of the INA authorizes the lawful admission into the United States of temporary, nonimmigrant workers (H-2A workers) to perform agricultural labor or services of a temporary or seasonal nature.

On May 23, 2014, the Administrator for the Office of Foreign Labor Certification ("OFLC") submitted a Notice of Debarment. The Notice detailed the OFLC Administrator's determination that Sever Peterson Farm, Inc. ("Employer") failed to respond to the Department's requests for audit documentation, which constituted a substantial violation of a material term or condition of its temporary labor certification. As such, the OFLC Administrator debarred the Employer from receiving labor certifications under 20 C.F.R. §655, Subpart B, for one year. On June 20, 2014, the Employer requested a debarment hearing before the Office of Administrative Law Judges. However, by letter dated November 4, 2014, the Employer requested withdrawal of its appeal without further explanation.

Accordingly, the Employer's request for withdrawal is **GRANTED.**
SO ORDERED.

JOHN P. SELLERS, III
Administrative Law Judge