

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 04 September 2007

CASE NO: 2007TLC00015

In the Matter of

JOSE M. IBARRA,
Employer

Appearances: Tito Eli Gonzalez, Agent
For the Complainant

R. Peter Nessen, Esq.
For the Respondent

Before: Daniel A. Sarno, Jr.
Administrative Law Judge

ORDER OF DISMISSAL

This matter arises under the temporary alien agricultural labor certification provisions in Section 218 of the Immigration and Nationality Act (hereinafter the "Act"), as amended and codified at 8 U.S.C. § 1188 (2000), and its implementing regulations published at 20 C.F.R. 655, Subpart B (2007). On August 16, 2007, Jose Ibarra (hereinafter "Complainant" or "Employer") requested an expedited *de novo* hearing before an administrative law judge of the Certifying Officer's decision not to accept Complainant's August 3, 2007 application for temporary alien agricultural labor certification. Thus, on August 30, 2007, a hearing on the matter was held in Tampa, Florida. At the hearing, Complainant's agent, Tito Gonzalez informed the Undersigned that Employer intended to file a new application for temporary alien agricultural labor certification and requested that Complainant's request for a *de novo* hearing be withdrawn. (TR 7-8.)

ORDER

Accordingly, IT IS ORDERED that Employer's motion to withdraw his request for a *de novo* hearing is **GRANTED** and the matter is marked **CLOSED**.

SO ORDERED.

A

Daniel A. Sarno, Jr.
Administrative Law Judge

DAS/mam