

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 28 April 2015

Case No.: **2015-TLC-00041**
ETA Case No: H-300-15079-323695

In the Matter of:

BAXLEY FARMS,
Employer.

ORDER OF REMAND

The instant case, which 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 set forth at 20 C.F.R. Part 655, Subpart B, has been assigned to the undersigned administrative law judge for appropriate proceedings. It involves an April 16, 2015 request for a *de novo* hearing in regards to the Certifying Officer's ("CO") denial of its H-2B application. See 20 C.F.R. Part 655.164, 655.171. The administrative file was received on April 23, 2015.

By e-mail of April 27, 2015, Stephen R. Jones, Esq., Office of the Solicitor, requested that the matter be remanded to the Chicago National Processing Center. In the e-mail, he advised that the Certifying Officer and Employer had reached an agreement on revisions to Employer's application and therefore requested a remand of this matter to resume processing. He further advised that Employer had agreed to this request.

Inasmuch as the parties agree that this matter should be remanded to the Certifying Officer to resume processing, it will be remanded. Accordingly,

ORDER

IT IS HEREBY ORDERED that this matter is **REMANDED** to the Certifying Officer for further processing.

PAMELA J. LAKES
Administrative Law Judge

Washington, D.C.