

U.S. Department of Labor

Office of Administrative Law Judges
Board of Alien Labor Certification Appeals
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Issue Date: 20 June 2019

OALJ Case No.: 2019-TLC-00044
ETA Case No.: H-300-19029-367926

In the Matter of

ESTRADA & SONS, INC.,
Employer

ORDER GRANTING RECONSIDERATION AND DISMISSING APPEAL

On May 17, 2019, I issued an order remanding this case to the Certifying Officer. On May 23, 2019, the Certifying Officer filed a Motion for Reconsideration, on the grounds that the Employer should be given the opportunity to clarify whether or not he wished to appeal, as well as which type of appeal he intended to file. If Employer did not wish to pursue the appeal, he should be given the opportunity to request dismissal.

I agree that remand was improvidently granted, and therefore the motion for reconsideration will be granted and the remand Order will be vacated.

On June 20, 2019, I held an on-the-record telephone conference with Mr. Estrada, President of the Employer (*pro se*), and Micole Allekotte, Esq., counsel for the Certifying Officer. Mr. Estrada indicated that he did not speak English well, and so a Spanish-language interpreter (Ms. Carmen Ortiz Longo), participated.

During the conference call, Mr. Estrada stated that he did not wish to pursue the appeal, and that he wished to withdraw the appeal.

Therefore, based on the foregoing, and good cause having been shown, **IT IS HEREBY ORDERED** that:

1. The Motion for Reconsideration, filed May 23, 2019, is **GRANTED**;
2. The Order issued May 17, 2019, is **VACATED**; and

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3. The above-entitled proceeding is **DISMISSED**.

SO ORDERED.

NORAN J. CAMP
Administrative Law Judge

Boston, Massachusetts