

**U.S. Department of Labor**

Board of Alien Labor Certification Appeals  
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**Issue Date: 14 October 2020**

BALCA Case No.: 2021-TLC-00002

ETA Case No.: H-300-20192-708009

In the Matter of:

**PACIFIC TOMATO GROWERS LTD.,**  
Employer.

**ORDER GRANTING MOTION TO WITHDRAW APPEAL  
AND DISMISSING CASE**

On October 8, 2020, Pacific Tomato Growers Ltd. (“Employer”) requested a *de novo* hearing on the Certifying Officer’s decision in the above captioned H-2A temporary labor certification matter. *See* 8 U.S.C. §§ 1101(a)(15)(H)(ii)(a), 1188; 20 C.F.R. § 655.171(b).

On October 13, 2020, this case was assigned to me for adjudication, and I scheduled a teleconference for October 15, 2020. On October 14, 2020, Employer filed an Unopposed Motion to Withdraw Appeal. Employer indicates that counsel for the Certifying Officer does not oppose its request.

Upon consideration of Employer’s request, I **GRANT** the Motion to Withdraw Appeal, I **CANCEL** the teleconference scheduled for October 15, 2020, and I **DISMISS** this case with prejudice. *See* 29 C.F.R. § 18.12(b)(7).

**SO ORDERED.**

**LAUREN C. BOUCHER**  
Administrative Law Judges

Cherry Hill, New Jersey