

U.S. Department of Labor

Board of Alien Labor Certification Appeals
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Issue Date: 12 February 2021

OALJ Case No: 2021-TLC-00066
ETA Case No.: H-300-20363-980990

In The Matter Of:

Pinecrest Tree Farms, LP,
Employer.

ORDER OF DISMISSAL

This case was docketed on 20 Jan 21, and the Office of Administrative Law Judges (OALJ) has not yet received the full Administrative File (AF) in this matter. It has been assigned to me, Acting District Chief Administrative Law Judge Patrick M. Rosenow. On 4 Feb 21, I issued a Notice of Docketing and Order to Show Cause Why Appeal Should Not Be Dismissed granting Employer two business days from the date the order was issued to show cause why the appeal should not be dismissed.

On 8 Feb 21, Employer responded with a Notice of Voluntary Dismissal of Appeal. It made arguments to support its case, but conceded that “rather than pursue this matter, the Employer voluntarily dismisses this appeal and considers the subject application for H-zA certification a dead and denied application. No additional proceedings besides a formal Order of Dismissal are called for in this case.”

The CO’s denial of certification is reinstated as the final departmental decision.

I am requesting that this order be served by email.

SO ORDERED.

PATRICK M. ROSENOW
Acting District Chief Administrative Law Judge