

**U.S. Department of Labor**

Board of Alien Labor Certification Appeals  
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**Issue Date: 20 August 2014**

**BALCA Case No.: 2014-TLN-00038**  
ETA Case No.: H-400-14162-410550

*In the Matter of:*

**JANINE FRYER,**  
*d/b/a* **GARDENS BY JANINE,**  
*Employer*

Certifying Officer: Charlene Giles  
Chicago National Processing Center

Before: **CLEMENT J. KENNINGTON**  
Administrative Law Judge

**ORDER DISMISSING APPEAL**

This case arises from a request for review of a United States Department of Labor Certifying Officer's ("CO") denial of an application for temporary alien labor certification under the H-2B non-immigrant program. Following the CO's denial of an application, an employer may request administrative review by the Board of Alien Labor Certification Appeals ("the Board" or "BALCA").

On July 31, 2014, Janine Fryer, *d/b/a* Gardens by Janine ("Employer"), requested administrative review of the denial of certification in the above-captioned matter. On August 20, 2014, Employer notified the Board that it has withdrawn its appeal. In light of the foregoing, it is hereby ordered that this matter is **DISMISSED**.

For the Board:

**CLEMENT J. KENNINGTON**  
Administrative Law Judge