

U.S. Department of Labor

Board of Alien Labor Certification Appeals
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Issue Date: 10 June 2015

BALCA Case No.: 2015-TLN-00046

ETA Case Nos.: H-400-15090-063282

In the Matter of:

VAYOLA NICOLAS,

Employer.

ORDER GRANTING MOTION TO DISMISS

On April 28, 2015, the Board of Alien Labor Certification Appeals (“BALCA”) received a request for administrative review of the Certifying Officer’s Final Determination in the above-captioned H-2B temporary labor certification matter and docketed the appeal.

On May 19, 2015, I issued a Notice of Assignment and Expedited Briefing Schedule allowing the Employer and the Solicitor to file briefs in time to reach the undersigned **no later than the close of business (4:30 pm EST) on the fifth business day after they receive the appeal file.**

On May 26, 2015, counsel for the Solicitor submitted a Motion to Dismiss Employer’s appeal as untimely. On May 27, 2015 I issued an Order to Show Cause allowing Employer ten (10) days to submit its response to the Solicitor’s motion to dismiss. To date, no response has been received.

Accordingly, I hereby **GRANT** the Solicitor’s Motion to Dismiss and **ORDER** this claim dismissed.

SO ORDERED.

THERESA C. TIMLIN
Administrative Law Judge