

**U.S. Department of Labor**

Board of Alien Labor Certification Appeals  
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Washington, DC 20001-8002

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**Issue Date: 17 December 2015**

**BALCA Case Nos.: 2016-TLN-00007**  
**2016-TLN-00008**  
**2016-TLN-00009**

ETA Case Nos.: H-400-15288-662278  
H-400-15290-242269  
H-400-15288-918686

*In the Matters of:*

**AQUA FARMS CRAWFISH, INC.,**  
*Employer,*

**BEUCOUP CRAWFISH OF EUNICE d/b/a RICELAND  
CRAWFISH,**  
*Employer,*

&

**TOUPS CRAWFISH, LLC,**  
*Employer.*

Certifying Officer: William L. Carlson  
Chicago National Processing Center

Appearances: Ashley Foret Dees, Esq.  
313 Broad Street  
Lake Charles, LA 70601  
*For the Employers*

Nora Carroll, Esq.  
Jessica Lyn, Esq.  
Office of the Solicitor  
Division of Employment and Training Legal Services  
Washington, D.C.  
*For the Certifying Officer*

Before: **JONATHAN C. CALIANOS**  
Administrative Law Judge

## **ORDER GRANTING MOTION FOR REMAND AND DISMISSAL**

These cases arise from the above-captioned Employers' requests for review before the Board of Alien Labor Certification Appeals ("BALCA") of denied *H-2B Applications for Temporary Employment Certification* ("Application(s)"). See 20 C.F.R. § 655.61 (explaining administrative review).<sup>1</sup> On December 16, 2015, the BALCA received "Certifying Officer's Motion for Remand and Dismissal." The Employers have no objection to the Certifying Officer's Motion. In light of the foregoing, it is hereby **ORDERED** as follows:

1. Aqua Farms Crawfish, Inc.'s case is **REMANDED** to the National Processing Center for additional processing,
2. Beaucoup Crawfish of Eunice's appeal is **DISMISSED**, and
3. Toups Crawfish, LLC's case is **REMANDED** to the National Processing Center for additional processing.

**SO ORDERED.**

**JONATHAN C. CALIANOS**  
Administrative Law Judge

Boston, Massachusetts

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<sup>1</sup> On April 29, 2015, the Department of Labor and the Department of Homeland Security jointly published an Interim Final Rule to replace the regulations at 20 C.F.R. Part 655, Subpart A established by the "2008 Rule" found at 73 Fed. Reg. 78020 (Dec. 19, 2008). See 80 Fed. Reg. 24042, 24109 (Apr. 29, 2015) ("2015 IFR"). Where each Employer filed its Application after April 29, 2015, and each Employer's period of need begins after October 1, 2015, the process outlined in the 2015 IFR applies. See 20 C.F.R. § 655.4(e) (explaining transition procedures).