

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 05 May 2020

BALCA Case No.: 2020-TLN-00042
ETA Case No.: H-400-20002-226937

In the Matter of:

SSS DOWN TO EARTH OPCO, LLC,
d/b/a DOWN TO EARTH LANDSCAPING AND IRRIGATION,
Employer.

ORDER GRANTING EMPLOYER’S REQUEST TO WITHDRAW
APPEAL AND DISMISSAL OF THE CLAIM

On April 14, 2020, the Board of Alien Labor Certification Appeals (“BALCA”) received a request for administrative review of the Certifying Officer’s Final Determination Denial in the above-captioned H-2B temporary labor certification matter.¹ The case was docketed and assigned to me on April 23, 2020. On May 4, 2020, counsel for SSS Down to Earth OPCO, LLC (“Employer”) filed a Formal Withdraw of the Notice of Appeal stating that it was withdrawing its request for appeal.

In view of the foregoing, the Employer’s Motion to Withdraw its Request for Appeal is hereby **GRANTED** and this case is hereby **DISMISSED**.

SO ORDERED.

LARRY A. TEMIN
ADMINISTRATIVE LAW JUDGE

¹ On April 29, 2015, the Department of Labor (the “Department”) and the Department of Homeland Security jointly published an Interim Final Rule (“IFR”) amending the standards and procedures that govern the H-2B temporary labor certification program. 80 Fed. Reg. 24042 (Apr. 29, 2015). All citations to 20 C.F.R. Part 655 refer to the IFR.