



Issue Date: 24 February 2020

BALCA Case No.: 2020-TLN-00025
ETA Case Nos.: H-400-20002-223447

In the Matter of:

SHAWNEE MISSION TREE SERVICE, INC. - TX, dba SMC UTILITY CONSTRUCTION,

Employer.

ORDER OF DISMISSAL

On February 11, 2020, the Board of Alien Labor Certification Appeals (“BALCA”) received a request from Shawnee Mission Tree Service, Inc. – TX, d/b/a SMC Utility Construction (the “Employer”) for administrative review of the Certifying Officer’s Decision and Denial Letter dated February 6, 2020, in the above-captioned H-2B temporary labor certification matter. On February 14, 2020, the court issued a Notice of Assignment and Order Setting Expedited Briefing Schedule.

On February 21, 2020, Employer filed a Motion to Withdraw the Employer’s Request for Administrative Review. In this Motion, Employer informed the court that it “has decided not to pursue the H-2B Program for this specific application.” Employer then formally requested that its Request for Administrative Review be withdrawn.

Accordingly, Employer’s Motion to Withdraw the Employer’s Request for Administrative Review is **GRANTED**. This case is **DISMISSED**. The briefing schedule established in the court’s February 12, 2020 Notice of Assignment and Order Setting Expedited Briefing Schedule is now moot and is **VACATED**.

SO ORDERED.

For the Board:

DANA ROSEN
Administrative Law Judge

DR/TRL/mjw
Newport News, VA