

ZAJI OBATALA ZAJRADHARA,  
 Complainant,  
 v.  
 GUAM ADVANCE ENTERPRISES, INC.,  
 Respondent.

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8 U.S.C. § 1324b Proceeding  
 OCAHO Case No. 2024B00006

<sup>1</sup> OCAHO Rules of Practice and Procedure, 28 C.F.R. pt. 68 (2022).

complaint package was again “Refused,” as well as “Addressee Unknown” on December 11, 2023, and was subsequently returned to the Court.

Also on November 30, 2023, the Court sent the complaint package to two alternate addresses. First, the Court sent the complaint package to an additional address for Respondent’s Registered Agent listed on a “hotline web form” attached to the Complaint. According to the USPS tracking website, the copy of the complaint package was picked up at the postal facility on December 11, 2023. Second, the Court sent the complaint package to an alternate address for Respondent listed on a publicly available government website.<sup>2</sup> According to the USPS tracking website, this complaint package was picked up from the postal facility on December 12, 2023.

As such, an answer was due no later than January 11, 2024. *See* 28 C.F.R. §§ 68.3(a), 68.9(a).

To date, Respondent has not filed an answer.

## II. ORDER TO SHOW CAUSE

Under the OCAHO Rules of Practice and Procedure, to contest a material fact alleged in the complaint, a respondent must file an answer. 28 C.F.R. § 68.9(c). Failure to file an answer “within the time provided may be deemed to constitute a waiver of his or her right to appear and contest the allegations of the complaint. The Administrative Law Judge may enter a judgment by default.” *Id.* § 68.9(b); *see also Nickman v. Mesa Air Grp.*, 9 OCAHO no. 1106, 1 (2004) (holding that if default judgment is entered, judgment may be entered for the complainant without a hearing).<sup>3</sup>

The Court therefore ORDERS Respondent, Guam Advance Enterprises, Inc., to file an answer that comports with 28 C.F.R. § 68.9(c), within thirty days of the date of this Order.<sup>4</sup> An answer includes “[a] statement that the respondent admits, denies, or does not have and is unable to obtain

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<sup>2</sup> *See* [pandemicoversight.gov/ppp-simple-search-landing](https://pandemicoversight.gov/ppp-simple-search-landing) (last visited Jan. 25, 2024). The Court may take official notice of “matters of public record,” reflecting “information maintained in government records,” whose accuracy is not disputed. *See United States v. Koy Chinese & Sushi Rest.*, 16 OCAHO no. 1416d, 4 (2023) (CAHO Notification of Administrative Review) (citing, among other things, 28 C.F.R. § 68.41).

<sup>3</sup> Citations to OCAHO precedents subsequent to Volume 8, where the decision has not yet been reprinted in a bound volume, are to pages within the original issuances; the beginning page number of an unbound case will always be 1, and is accordingly omitted from the citation. Published decisions may be accessed in the Westlaw database “FIMOCAHO,” or in the LexisNexis database “OCAHO,” or on the website at <http://www.justice.gov/eoir/OcahoMain/ocahosibpage.htm#PubDecOrders>.

<sup>4</sup> Pleadings and briefs may be filed by facsimile to toll the time limit. 28 C.F.R. § 68.6(c). All original signed pleadings must be forwarded concurrently with the transmission of the facsimile, and the facsimile must include a certification that service on the opposing party has also been made by facsimile, hand delivery, or overnight delivery service. *Id.*

sufficient information to admit or deny each allegation” and “[a] statement of fact supporting each affirmative defense.” § 68.9(c)(1)–(2).

The Court further ORDERS Respondent Guam Advance Enterprises, Inc., to file a submission that demonstrates good cause for its failure to timely file an answer, within thirty days of the day of this Order.

Should Respondent fail to respond as ordered or cannot show good case, the Court may enter a default judgment against Respondent pursuant to 28 C.F.R. § 68.9(b).

SO ORDERED.

Dated and entered on January 30, 2024.

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Honorable Jean C. King  
Chief Administrative Law Judge