

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

UNITED STATES OF AMERICA, Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
	)	
v.	)	OCAHO Case No. 99A00042
	)	
TENTH ST CORPORATION, Respondent.	)	Judge Robert L. Barton, Jr.
	)	

**ORDER DISMISSING PROCEEDING**

(September 14, 1999)

Both parties have moved to dismiss this action because they have entered into a Settlement Agreement that disposes of all the issues in this case and have agreed to the dismissal of the action. The parties have attached the Settlement Agreement to the Joint Motion to Dismiss.

The OCAHO Rules of Practice and Procedure provide that when parties or their authorized representatives enter into a proposed settlement agreement, they may submit to the Judge either a proposed agreement containing consent findings and a proposed decision and order or notify the Judge that the parties have reached a full settlement and have agreed to the dismissal of the action. Rules of Practice and Procedure for Administrative Hearings, 64 Fed. Reg. 7066, 7075 (1999) (to be codified at 28 C.F.R. § 68.14(a)) (hereinafter 28 C.F.R. § 28.14(a)).<sup>1</sup>

In this case, the parties have not submitted consent findings. However, the parties have reached a full settlement and, as part of the settlement, Respondent has agreed to waive its right to a hearing. See Settlement Agreement ¶ 5. Therefore, pursuant to 28 C.F.R. § 68.14(a)(2), the Motion to Dismiss is granted, and this case is dismissed with prejudice.

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**ROBERT L. BARTON, JR.**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>1</sup> Certain portions of Part 68 of Title 28 of the Code of Federal Regulations have been amended. References to those amended portions of Part 68 are to the interim rule published in the Federal Register at Vol. 64, no. 29, page 7066. References to those portions not affected by the interim rules are to the 1998 volume of the Code of Federal Regulations.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14<sup>th</sup> day of September 1999, I have served the foregoing Order Dismissing Proceeding on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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