

**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. 98A00065
)	
AFTERNOON DELIGHT, INC.,)	Judge Robert L. Barton, Jr.
Respondent.)	
_____)	

ORDER DISMISSING PROCEEDING

(July 29, 1998)

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 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. 28 C.F.R. § 68.14(a) (1997).

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 waived its right to a hearing before the Administrative Law Judge. See Settlement Agreement ¶ 6. Therefore, pursuant to 28 C.F.R. § 68.14(a)(2), the Motion to Dismiss is granted, and this case is dismissed with prejudice.

ROBERT L. BARTON, JR.
ADMINISTRATIVE LAW JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of July, 1998, 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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