

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

Jaime Banuelos, et al., Complainants v. Transportation Leasing Company (Former Greyhound Lines, Inc.), Bortisser Travel Service, G.L.I. Holding Company and Subsidiary Greyhound Lines, Inc., Bus Wash, Missouri Corporation, Respondents; 8 U.S.C. § 1324b Proceeding; Case No. 89200314.

**ORDER PERMITTING COMPLAINANTS ADDITIONAL TIME TO RESPOND TO RESPONDENT  
BUS WASH, INC.'S, UNTIMELY SUBMISSION OF ITS MOTION FOR SUMMARY  
DECISION**

On May 16, 1990, my office accepted a telephonic communication from Mr. Marco Centeno, a representative of Complainant's. Mr. Centeno expressed concern that I was accepting into the record a late submission of an affidavit of a Mr. Delacruz in support of a Motion for Summary Decision as tendered by Respondent Bus Wash, Inc. Mr. Centeno also expressed concern that there were some "minor changes" in the subsequently filed affidavit.

Respondent Bus Wash, Inc., originally filed in a timely manner its Motion for Summary Decision on May 7, 1990. That submitted Motion, however, contained the unsworn and unsigned affidavit of Mr. Delacruz. On May 11, 1990, Respondent Bus Wash, Inc., submitted the sworn and signed affidavit of Mr. Delacruz. In a cover letter accompanying the affidavit, Mr. Robert Dolan, counsel for Bus Wash, Inc., indicated that the original affidavit contained a misstatement that was corrected in the subsequently filed affidavit. The misstatement pertained to the location of the bus cleaning operations as conducted by Bus Wash, Inc. The subsequently filed affidavit was not otherwise any different from the affidavit as filed on May 7, 1990.

I consider the changes as made in the subsequent affidavit to be minor and non-prejudicial. Moreover, I view the failure by Bus Wash, Inc., to submit in a timely manner the sworn affidavit of Mr. Delacruz to be an inadvertent oversight. For these reasons, I decided to permit it to be filed in an untimely manner.

Nevertheless, in the interests of fairness, I will permit Complainants to file a response, if they think it is necessary, to Respondent Bus Wash, Inc.'s Motion as filed on May 11, 1990.

Accordingly, Complainants shall have until on or before Friday, May 25, 1990, in which to file a response, if necessary, to Respondent Bus Wash, Inc.'s, Motion including the affidavit of Mr. Delacruz.

Thereafter, I shall rule on and decide all pending Motions and Requests in this case.

**SO ORDERED:** This 18th day of May, 1990, at San Diego, California.

ROBERT B. SCHNEIDER  
Administrative Law Judge