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**THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS**

In the Matter of:)	
)	
BRIAN STEFANOVIC,)	OEA Matter No. J-0038-17
Employee)	
)	
)	Date of Issuance: August 14, 2017
v.)	
)	
D.C. PUBLIC SCHOOLS,)	MICHELLE R. HARRIS, Esq.
Agency)	Administrative Judge
)	
)	
Brian Stefanovic, Employee <i>Pro Se</i>		
Lynette A. Collins, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On April 14, 2017, Brian Stefanovic (“Employee”), filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Public Schools’ (“Agency” or “DCPS”) decision to terminate him from his position as a School Psychologist, effective close of business July 28, 2017. On May 19, 2017, Agency filed its Answer and Motion to Dismiss Employee’s Petition for Appeal. This matter was assigned to the undersigned Administrative Judge (“AJ”) on May 5, 2017.

On June 13, 2017, I issued an Order requiring Employee to address the jurisdictional issue noted by Agency in its Motion to Dismiss. Employee’s response was due on or before July 10, 2017. Employee did not respond to that Order.¹ Consequently, on July 14, 2017, I issued an Order for Statement of Good Cause to Employee. Employee was ordered to submit his brief, and a statement of good cause based on his failure to respond to the June 13, 2017 Order. Employee had until July 31, 2017, to respond. On July 31, 2017, Employee filed his response and noted therein that he was “no longer pursuing the matter and would not challenge the DCPS termination due to a failure to timely renew my DC School Psychologist Certification.”² The record is now closed.

¹ Employee’s copy of the Order was returned as undeliverable to the Office on June 27, 2017. A subsequent email and phone call were made to Employee to confirm his address.

² Employee’s Response and Brief filed July 31, 2017.

JURISDICTION

The jurisdiction of this Office has not been established.

ISSUE

Whether this appeal should be dismissed based upon Employee's voluntary withdrawal.

FINDINGS OF FACTS, ANALYSIS AND CONCLUSIONS OF LAW

In his July 31, 2017 Response, Employee noted that he was "no longer pursuing the matter and would not challenge the DCPS termination."³ Since Employee has voluntarily withdrawn his appeal, Employee's petition is hereby dismissed.

ORDER

It is hereby **ORDERED** that the petition in this matter is **DISMISSED**.

FOR THE OFFICE:

MICHELLE R. HARRIS, Esq.
Administrative Judge

³ *Id.*