

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matters of:)	
Herbert L. Douglas,)	
Shantell Hatton,)	
Lowanda Hinton-Saunders,)	OEA Matter Numbers:
Lorenzo Jennings,)	1601-0032-08C12, 1601-0033-08 C12,
Dionne Makins,)	1601-0034-08 C12, 1601-0035-08 C12,
Lachone Stewart, and)	1601-0037-08 C12, 1601-0038-08 C12,
Cynthia Washington,)	1601-0039-08 C12
Employees,)	
)	Joseph E. Lim, Esq.
v.)	Senior Administrative Judge
)	
Department of Corrections)	Date of Issuance: April 9, 2012
Agency)	
_____)	

Attorneys Rorey Smith, Kevin J. Turner, Ross Buchholz, Agency Representatives
Attorneys J. Michael Hannon, and J. Scott Hagood, Employee Representatives

ADDENDUM DECISION ON COMPLIANCE

INTRODUCTION AND PROCEDURAL HISTORY

On January 14, 2008, Employees appealed from Agency's (Department of Corrections or DOC) final decision, effective December 17, 2007, removing them from their positions as Correctional Officers at the D.C. Jail for "negligence," or "malfeasance." Employees were accused of negligently allowing two prison inmates to escape. Employees deny doing anything improper, asserting that they followed standard operating procedures. After a hearing on December 8, 10, and 12, 2008, I issued an Initial Decision (ID) on June 22, 2009. I upheld Agency's removal of two employees, but reversed Agency's removal of Employees Herbert Douglas, Shantell Hatton, Lowanda Hinton-Saunders, Lorenzo Jennings, Dionne Makins, Lachone Stewart, and Cynthia Washington.

Shortly thereafter, Agency filed a petition for review of the ID with the OEA Board. On October 25, 2010, the Board issued an Opinion and Order on Petition for Review ("O&O") in which it upheld the ID. On November 29, 2010, Agency appealed the decision to the Superior Court of the District of Columbia where it was docketed as 2010-CA-009140. On November 14, 2011, the Superior Court of the District of Columbia denied Agency's appeal.

Shortly thereafter, Employees made a complaint that Agency had still not fully complied with the ID. On December 14, 2011, Agency noted an appeal of the Superior Court decision to

the District of Columbia Court of Appeals. At this point, the parties began settlement discussions. On March 30, 2012, Agency submitted a signed letter indicating that the aforementioned employees had been reinstated and that the parties have settled all issues regarding these employees. The record is closed.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Official Code Ann. § 1-606.03(a) (2001).

ISSUE

Whether this matter should be dismissed.

ANALYSIS AND CONCLUSIONS

Since the parties have settled the matter, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that the petition in this matter is dismissed.

FOR THE OFFICE:

JOSEPH E. LIM, ESQ.
Senior Administrative Judge