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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter Nos.: 1601-0006-19
)	1601-0018-19
JOSEPH STIMMELL,)	
Employee)	
)	Date of Issuance: May 8, 2019
v.)	
)	ARIEN P. CANNON, Esq.
METROPOLITAN POLICE DEPARTMENT,)	Administrative Judge
Agency)	
_____)	
J. Scott Hagood, Esq., Employee Representative)	
Brenda Wilmore, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

Joseph Stimmell (“Employee”) filed Petitions for Appeal in the above-captioned cases with the Office of Employee Appeals (“OEA”) on October 12, 2018, and December 14, 2018, respectively. Employee’s Petitions challenged the Metropolitan Police Department’s (“Agency” or “MPD”) decision to suspend him for twenty (20) days and twenty-five (25) days, respectively. Agency filed its Answers to the Petitions for Appeal on November 14, 2018, and February 8, 2019. I was assigned both matters on May 3, 2019. Employee submitted a Notice of Withdrawal on April 9, 2019, in both cases.

JURISDICTION

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

ISSUE

Whether Employee’s Petitions for Appeal should be dismissed based on a voluntary withdrawal because of a settlement agreement.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states in pertinent part, that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

Here, as a result of mediation, a Notice of Withdrawal was filed by Employee on April 9, 2019, indicating that these matters have been mutually and amicably resolved between the parties. Accordingly, I find that Employee's Petition for Appeal should be dismissed.

ORDER

It is hereby **ORDERED** that Employee's Petitions for Appeal are **DISMISSED** as settled.

FOR THE OFFICE:

ARIEN P. CANNON, Esq.
Administrative Judge