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DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
ERNESTO DURAN,)	OEA Matter No. 2401-0278-09
Employee)	
)	Date of Issuance: April 18, 2011
v.)	
)	Sommer J. Murphy, Esq.
DISTRICT OF COLUMBIA)	Administrative Judge
PUBLIC SCHOOLS,)	
Agency)	
)	
)	

Mark Murphy, Esq., Employee Representative
Harriet Segar, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On September 21, 2009, Employee filed a petition for appeal with the Office of Employee Appeals (“OEA”) contesting the District of Columbia’s decision to terminate him. Agency’s notice informed Employee that she was being separated from service as a result of a Reduction-in-Force (“RIF”). Employee’s termination was effective on August 24, 2009.

This matter was assigned to me on or around January 7, 2011. I issued an Order on March 25, 2011, directing the parties to appear for a status conference on April 14, 2011, to discuss issues regarding the RIF. However, on April 12, 2011, Employee, through counsel, filed a signed request to withdraw the petition for appeal. The record is now closed.

JURISDICTION

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

ISSUE

Whether this matter be dismissed.

ANALYSIS AND CONCLUSION

The Employee has voluntarily withdrawn his petition for appeal. Based on the foregoing, this matter may now be dismissed.

ORDER

It is hereby ORDERED that this matter be DISMISSED.

FOR THE OFFICE:

Sommer J. Murphy, Esq.
Administrative Judge