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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

| | | |
|---|---|-------------------------------------|
| In the Matter of: |) | |
| |) | OEA Matter No.: 1601-0088-14 |
| FRITZNER DUPALIS, |) | |
| Employee |) | |
| |) | Date of Issuance: September 8, 2014 |
| v. |) | |
| |) | |
| OFFICE OF THE STATE SUPERINTENDENT |) | |
| OF EDUCATION, |) | |
| Agency |) | |
| |) | |
| |) | Arien P. Cannon, Esq. |
| |) | Administrative Judge |
| | | |
| Fritzner Dupalis, Employee, <i>Pro se</i> | | |
| Hillary Hoffman-Peak, Esq., Agency Representative | | |

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On June 19, 2014, Fritzner Dupalis (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“Office” or “OEA”) challenging the Office of the State Superintendent of Education’s (“Agency” or “OSSE”) decision to suspend him for fifteen (15) days. On August 26, 2014, the parties submitted a Withdrawal of Appeal. This matter was assigned to me on September 5, 2014. The record is now closed.

JURISDICTION

Jurisdiction of this Office is established in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether Employee’s Petition for Appeal should be dismissed based on his voluntary withdrawal as a result of settlement negotiations.

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.

On August 26, 2014, a Withdrawal of Appeal, along with a Settlement Agreement which was signed by both parties, was submitted to this Office. Accordingly, Employee's Petition for Appeal is hereby **DISMISSED** with prejudice.

ORDER

It is hereby **ORDERED** that Employee's Petition for Appeal is **DISMISSED** with prejudice.

FOR THE OFFICE:

Arien P. Cannon, Esq.
Administrative Judge