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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No.: 2401-0165-13
JAMES LINDSAY,)	
Employee)	
)	Date of Issuance: October 25, 2013
v.)	
)	
METROPOLITAN POLICE DEPARTMENT,)	
Agency)	
_____)	
)	Arien P. Cannon, Esq.
)	Administrative Judge

James Lindsay, Employee, *Pro se*
Diana Haines, Agency Representative

INITIAL DECISION

James Lindsay (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) on September 18, 2013, challenging the Metropolitan Police Department’s (“Agency”) reduction in force (“RIF”). The RIF separated Employee from service with the District government as a Cell Block Technician. The effective date of the RIF was September 30, 2013.¹ In an e-mail sent by Employee to this Office on October 22, 2013, which is now in the record, Employee states that his petition is moot because he was reassigned prior to the effective date of the RIF. Agency responded to this e-mail and confirmed that Employee was in fact reassigned and agreed with Employee that his petition is moot. This matter was assigned to me on October 25, 2013. 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.

¹ See Employee’s Petition for Appeal, Attachment (September 18, 2013).
18, 2013).

ANALYSIS AND CONCLUSION

Employee's e-mail is being treated as a withdrawal of his petition before this Office. In response to the e-mail, Agency acknowledges and confirms that Employee was reassigned prior to the RIF and is still employed with Agency. Accordingly, based on the voluntary withdrawal, Employee's Petition for Appeal is dismissed.

ORDER

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

FOR THE OFFICE:

Arien P. Cannon, Esq.
Administrative Judge

cc:

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