

Notice: This decision may be formally revised before publication in the *District of Columbia Register*. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
SIDNEY SMITH)	OEA Matter No. 1601-0124-05
Employee)	
)	Date of Issuance: January 13, 2006
v.)	
)	Senior Administrative Judge
D.C. DEPARTMENT OF CORRECTIONS)	Joseph E. Lim, Esq.
Agency)	

Fred Staten, Jr., Agency Representative
Sidney Smith, Employee *pro se*

INITIAL DECISION

PROCEDURAL BACKGROUND AND FINDINGS OF FACT

On August 31, 2005, Employee filed a petition for appeal with this Office pursuant to D.C. Code Ann. § 1-606.3(a) (1999). The Employee grieved Agency's proposed termination of her employment due to Incompetence. This matter was submitted for mediation. On October 31, 2005, the parties successfully negotiated an agreement that resolved the appeal in Employee's favor. Both parties have also confirmed by phone that Employee has been back at work since November 14, 2005. This matter was assigned to the undersigned judge on January 13, 2006. I closed the record.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Code Ann. § 1-606.3(a) (1999).

ISSUE

Whether this appeal should be dismissed.

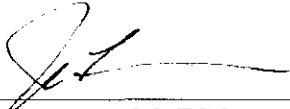
ANALYSIS AND CONCLUSION

Since Employee has voluntarily withdrawn his appeal, Employee's petition for appeal is

dismissed.

ORDER

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



JOSEPH E. LIM, ESQ.
Senior Administrative Judge