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**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	
MICHAEL WEISS,	)	
Employee	)	OEA Matter No.: 1601-0267-12
	)	
v.	)	Date of Issuance: April 25, 2014
	)	
METROPOLITAN POLICE DEPARTMENT,	)	MONICA DOHNJI, Esq.
Agency	)	Administrative Judge
_____	)	
Michael Weiss, Employee <i>Pro Se</i>		
Brenda Wilmore, Esq., Agency Representative		

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

On September 27, 2012, Michael Weiss (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Metropolitan Police Department’s (“MPD” or “Agency”) decision to suspend him for fifteen (15) days without pay, effective September 7, 2012.

A mediation session was scheduled for March 7, 2014 in this matter. Prior to the March 7, 2014, mediation session, Agency’s representative notified the assigned Mediator via email that the parties had reached a settlement agreement in this matter. On April 24, 2014, Employee submitted a signed settlement agreement, along with a Withdrawal of Appeal noting that the “[Employee] hereby withdraws his OEA appeal filed in the above-captioned matter.” This matter was assigned to the undersigned Administrative Judge (“AJ”) on April 24, 2014. 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 appeal should be dismissed.

ANALYSIS AND CONCLUSION

In the March 7, 2014, email, Agency's representative noted that "the parties have reached a settlement in the above-referenced matter."

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.

In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn his Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

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MONICA DOHNJI, Esq.  
Administrative Judge