

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

| | | |
|----------------------------------------------------|---|-----------------------------------|
| _____ |) | |
| In the Matter of: |) | |
| |) | |
| Victor Brito |) | OEA Matter No. 1601-0279-10 |
| Employee |) | |
| |) | Date of Issuance: October 1, 2012 |
| v. |) | |
| |) | Joseph E. Lim, Esq. |
| Metropolitan Police Department |) | Senior Administrative Judge |
| Agency |) | |
| James Pressler, Jr., Esq., Employee Representative |) | |
| Frank McDougald, Esq., Agency Representative |) | |

INITIAL DECISION

PROCEDURAL BACKGROUND AND FINDINGS OF FACT

On February 26, 2010, Employee filed a petition for appeal with this Office pursuant to D.C. Code Ann. § 1-606.3(a) (1999). The Employee appealed Agency's demotion of his rank from Inspector to Captain.

This matter was assigned to the undersigned judge on July 2, 2012. I held a prehearing conference on August 6, 2012. On July 31, 2012, Employee submitted a notice withdrawing his appeal. I closed the record.

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

Since Employee has voluntarily withdrawn his appeal, Employee's petition for appeal is dismissed.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

FOR THE OFFICE:

JOSEPH E. LIM, ESQ.
Senior Administrative Judge