

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
Elona Finkelstein)	OEA Matter No. 1601-0267-10
Employee)	
)	
v.)	Date of Issuance: May 15, 2013
)	
Department of Health)	Joseph E. Lim, Esq.
Agency)	Senior Administrative Judge
_____)	
Daniel Katz, Esq., Employee Representative		
Frank McDougald, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On January 19, 2010, Employee appealed from Agency's (Department of Health or DOH) final decision, effective December 24, 2009, suspending her from her position as Program Management Analyst for "using a racial slur." This matter was assigned to me on July 2, 2012. Due to the parties' request based on Employee's medical condition, the prehearing conference was postponed twice and was scheduled for May 16, 2013. On May 15, 2013, Employee submitted her withdrawal of her appeal. The record is closed.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Official Code Ann. § 1-606.03(a) (2001).

ISSUE

Whether this matter should be dismissed.

ANALYSIS AND CONCLUSIONS

Based on her withdrawal of her appeal, Employee's petition for appeal is dismissed.

ORDER

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

FOR THE OFFICE:

JOSEPH E. LIM, ESQ.
Senior Administrative Judge