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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No.: 1601-0054-18R19
FRANK COPELAND,)	
Employee)	
)	Date of Issuance: June 10, 2019
v.)	
)	ARIEN P. CANNON, ESQ.
D.C. DEPARTMENT OF PUBLIC WORKS,)	Administrative Judge
Agency)	
)	
_____)	

Frank Copeland, Employee, *Pro se*
Milena Mikailova, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

The undersigned issued an Initial Decision in this matter on April 9, 2019. On May 6, 2019, Agency filed a Petition for Review. The Office of Employee Appeals (“OEA”) Board issued its Opinion and Order (“O & O”) on Petition for Review on May 28, 2019. The O & O remanded this matter to the undersigned for the limited purpose of issuing a final judgment which accurately reflects the actual disposition of this matter.

JURISDICTION

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

ISSUE

Whether this matter should be dismissed as settled.

ANALYSIS AND CONCLUSIONS OF LAW

Unbeknownst to the undersigned, the parties executed a settlement agreement on April 7, 2019, pursuant to which Employee was required to withdraw his case with prejudice before OEA

by April 22, 2019. However, an Initial Decision was issued on April 9, 2019, dismissing Employee's case for failure to prosecute. In Agency's Petition for Review, it requested that the matter be remanded to the undersigned for the case to be properly dismissed to reflect the true disposition of the case. Accordingly, this matter shall be dismissed in accordance with Employee's April 22, 2019 Motion to Dismiss and Agency's Petition for Review.

ORDER

It is hereby **ORDERED**, that Employee's April 22, 2019 Motion to Dismiss shall be **GRANTED**. It is further **ORDERED** that Employee's Petition for Appeal shall be dismissed with prejudice as settled.

FOR THE OFFICE:

ARIEN P. CANNON, ESQ.
Administrative Judge