

**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	
JANICE WATERS,	)	
Employee	)	OEA Matter No. 1601-0164-09
	)	
v.	)	Date of Issuance: March 5, 2010
	)	
D.C. PUBLIC SCHOOLS	)	
DIVISION OF	)	
TRANSPORTATION,	)	
Agency	)	ERIC T. ROBINSON, Esq.
	)	Administrative Judge
_____	)	

Janice Waters, Employee *Pro-Se*  
David Gilmore, Administrator

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

On July 28, 2009, Janice Waters (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Public Schools Division of Transportation (“Agency”) adverse action of removing her from service. I was assigned this matter on March 1, 2010. After reviewing the documents of record, I discovered that Agency had not submitted an Answer to Employee’s petition for appeal. On March 1, 2010, I sent an Order for Statement of Good Cause to David Gilmore who is the court appointed Administrator of the District of Columbia Public Schools Division of Transportation, so that he may explain why Agency had not submitted its’ Answer in the above captioned matter.

On March 5, 2010, Employee called the undersigned and informed me that she had been returned to her position of record and that she no longer wished to pursue her petition for appeal. I then informed her that she had to submit her request in writing. Employee then submitted a signed letter via facsimile expressing her desire to discontinue her petition for appeal with the OEA. In consideration of Employee’s voluntary withdrawal, I have decided that no further proceedings are warranted. The record is now closed.

JURISDICTION

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

ISSUE

Should this matter be dismissed?

ANALYSIS AND CONCLUSION

The Employee has voluntarily withdrawn her petition for appeal. Pursuant to this withdrawal, I conclude that this matter may now be dismissed.

ORDER

It is hereby ORDERED that this matter be DISMISSED.<sup>1</sup>

FOR THE OFFICE:

ERIC T. ROBINSON Esq.  
Administrative Judge

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<sup>1</sup> Since this matter is being dismissed due to Employee's voluntary withdrawal of her petition for appeal, I find that David Gilmore does not have to respond to the above referenced Order for Statement of Good Cause dated March 1, 2010.