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**THE DISTRICT OF COLUMBIA**  
**BEFORE**  
**THE OFFICE OF EMPLOYEE APPEALS**

_____	)	
In the Matter of:	)	
	)	
ALICE ANAMELECHI-OLADOKUN	)	OEA Matter No. 2401-0179-04
Employee	)	
	)	
v	)	Date of Issuance: October 13, 2005
	)	
D. C. PUBLIC SCHOOLS	)	Muriel A. Aikens-Arnold
Agency	)	Administrative Judge
_____	)	

Alice Anamelechi-Oladokun, *Pro se*  
Harriet Segar, Esq., Office of the General Counsel

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL HISTORY**

On July 28, 2004, Employee, a Librarian, filed a Petition for Appeal from Agency's action to separate her from service effective June 30, 2004 as a result of a reduction-in-force (RIF). Agency was notified by this Office regarding this appeal on December 16, 2004 and directed to respond by January 21, 2005. Agency filed its response as instructed.

This matter was assigned to this Judge on April 19, 2005.<sup>1</sup> On June 3,

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<sup>1</sup> On 5/26/05, Employee contacted this Judge to advise that she would be unavailable

2005, an Order Convening a Prehearing Conference was issued scheduling said conference on July 12, 2005. On July 12, 2005, Agency filed its prehearing statement.<sup>2</sup> The conference was conducted as scheduled and as a result, a jurisdiction issue arose from the discussion.<sup>3</sup> On July 18, 2005, an Order to Respond to the Jurisdiction Issue was issued directing Employee to submit evidence to support her position that she was forced to retire by August 12, 2005; after which Agency was given an opportunity to respond by August 31, 2005.<sup>4</sup> On August 19, 2005, Employee contacted this Judge to advise that she wishes to withdraw her appeal. Accordingly, the record is closed.

### JURISDICTION

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

### ISSUE

Whether this appeal may now be dismissed.

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between 6/23/05 and 7/6/05.

<sup>2</sup> In that statement, Agency asserted that Employee had voluntarily retired effective 6/30/04 in lieu of the RIF. A Personnel Action Form 1 reflecting Employee's retirement was submitted with the prehearing statement.

<sup>3</sup> This Judge advised Employee that the Office does not have jurisdiction over a voluntary retirement but that an involuntary retirement, if proven by the employee, may be treated as a constructive removal. Employee stated that she wishes to obtain an attorney and was provided a list of attorneys who participate in this Office's Attorney Referral Program.

<sup>4</sup> On 8/12/05, this Judge spoke with Attorney Mitchell (who is not listed on the referral list from this Office) who indicated that he was contacted by Employee and needs time to review this matter before deciding whether or not to represent her. This Judge advised him that Employee must request an extension of time and, if so, he would be allowed one week (until 8/19/05) to review this matter. Employee submitted said request on August 15, 2005.

ANALYSIS AND CONCLUSION

Pursuant to Employee's voluntary withdrawal of her Petition for Appeal, this Judge concludes that this matter may now be dismissed.

ORDER

It is hereby ORDERED that this matter is DISMISSED.

*Muriel Aikens Arnold*

FOR THE OFFICE:

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MURIEL A. AIKENS-ARNOLD, ESQ.  
Administrative Judge