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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
MARK KURITA,)	
Employee)	OEA Matter No. 1601-0242-12
)	
v.)	Date of Issuance: May 7, 2014
)	
D.C. PUBLIC SCHOOLS,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Mark Kurita, Employee <i>Pro Se</i>		
Carl K. Turpin, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On September 7, 2012, Mark Kurita (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the D.C. Public Schools’ (“Agency”) decision to terminate him from his position as a Teacher effective August 10, 2012. Employee was terminated for receiving a ‘Minimally Effective’ rating under the IMPACT Performance Assessment System for two consecutive years (2010-2011 and 2011-2012 school years). On October 11, 2012, Agency filed its Answer to Employee’s Petition for Appeal.

This matter was assigned to the undersigned Administrative Judge (“AJ”) on December 9, 2013. On December 31, 2013, I issued an Order directing the parties to attend a Status Conference on February 11, 2014. Both parties attended the Status Conference. On February 11, 2014, I issued a Post Status Conference Order requiring the parties to submit briefs addressing the issues raised during the Status Conference. Agency’s brief was due on March 4, 2014, and Employee’s brief was due on March 24, 2014. While Agency submitted its brief, on March 21, 2014, Employee submitted a request for extension to file his brief. This request was granted in an Order dated March 21, 2014. Per this Order, Employee’s brief was now due on April 21, 2014. However, Employee did not submit his brief as requested. Subsequently, on April 28, 2014, I issued a Statement of Good Cause, wherein, Employee was ordered to explain his failure to submit a response to the February 11, 2014 Order, on or before May 6, 2014. On May 6, 2014,

Employee submitted a letter withdrawing his Petition for Appeal with this Office. The record is now closed.

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Since Employee has voluntarily withdrawn his appeal, Employee's Petition for Appeal is dismissed.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 for appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Administrative Judge