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

_____	)	
In the Matter of:	)	
	)	
JEANNETTE BROWN,	)	
Employee	)	OEA Matter No. 1601-0138-11
	)	
v.	)	Date of Issuance: September 5, 2013
	)	
D.C. PUBLIC SCHOOLS,	)	
Agency	)	Eric T. Robinson, Esq.
	)	Senior Administrative Judge
_____	)	
Shelly Gardener, Union Representative		
Sara White, Esq., Agency Representative		

**INITIAL DECISION**

PROCEDURAL BACKGROUND

On July 21, 2011, Jeannette Brown (“Employee”) submitted a petition for appeal in the above-captioned matter contesting the District of Columbia Public Schools’ (“Agency”) action of removing her from service. I was assigned this matter on or around March 29, 2013. Thereafter, several prehearing conferences were scheduled then rescheduled so that Employee could obtain legal counsel. Employee was able to obtain representation through the American Federation of State, County, and Municipal Employees, AFL-CIO District Council 20 (“Union”). Ultimately, a prehearing conference was held on August 15, 2013. During the conference, Employee revealed that she had retired from service. Accordingly, in an order dated August 16, 2013, Employee, through counsel, was required to address in a written legal brief, whether the OEA may exercise jurisdiction over this matter due to her retirement. Employee’s brief was due on or before August 30, 2013. Moreover, this order required the parties to appear for a status conference on September 12, 2013. Employee did not submit a legal brief addressing the OEA’s ability to exercise jurisdiction over this matter. However, on September 3, 2013, Employee, through her union representative, submitted a letter indicating that Employee wanted to withdraw her petition for appeal. The record is now closed.

JURISDICTION

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

ISSUE

Whether this matter should be dismissed with prejudice.

ANALYSIS AND CONCLUSION

Since Employee voluntarily withdrew her petition for appeal, I find that Employee's petition for appeal should be dismissed.<sup>1</sup>

ORDER

It is hereby ORDERED that the above-captioned petition for appeal be dismissed.

FOR THE OFFICE:

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ERIC T. ROBINSON ESQ.  
Senior Administrative Judge

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<sup>1</sup> The status conference which was scheduled to occur on September 12, 2013, is hereby cancelled.