

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
TAMMIE CREAMER)	OEA Matter No. 1601-0023-19
Employee)	
)	Date of Issuance: January 13, 2020
v.)	
)	JOSEPH E. LIM, ESQ.
OFFICE OF UNITED COMMUNICATIONS)	Senior Administrative Judge
Agency)	

Tammie Creamer, Employee *pro se*
Conner Finch, Esq., Agency Representative

INITIAL DECISION

PROCEDURAL HISTORY

Tammie Creamer, Employee herein, filed a petition with the Office of Employee Appeals (“OEA”) on January 4, 2019, appealing the decision of the Office of United Communications (“OUC” or “Agency”) to demote her from her position as a Grade 13 Quality Assurance Specialist to a Grade 11 Dispatcher. The matter was assigned to me on or about July 2, 2019, after an unsuccessful attempt at mediation. I held a Prehearing Conference on September 23, 2019.

I ordered the parties to submit a legal brief on the issue identified at the conference. Although the Agency Representative complied, Employee failed to do so. Instead, Employee asked for several postponements, the latest of which asked for an October 28, 2019, deadline via email. Despite this request, Employee still failed to submit a brief on her requested deadline. On December 10, 2019, I issued an Order asking Employee to show cause for her failure to submit a brief as ordered. Employee was notified that her submission was due by 4:00 p.m. on December 19, 2019, and that the record would close on that date unless the parties were notified to the contrary. Employee was further advised that failure to respond would result in the dismissal of this matter. The Order was sent to the address listed on Employee’s petition by first class mail, postage prepaid. It was not returned and is presumed delivered. More than 16 days later, Employee has not responded to the Order. However, on December 23, 2019, Employee submitted a signed withdrawal of her appeal. The record is closed.

JURISDICTION

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

ISSUE

Should the petition be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

Since Employee has voluntarily withdrawn her appeal, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that this matter is DISMISSED with prejudice.

FOR THE OFFICE:

Joseph E. Lim, Esq.
Senior Administrative Judge