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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No.: 1601-0012-21
)	
Employee)	
)	Date of Issuance: July 1, 2022
v.)	
)	ARIEN P. CANNON, ESQ.
DISTRICT OF COLUMBIA DEPARTMENT)	Administrative Judge
OF PUBLIC WORKS,)	
Agency)	
_____)	

Vanessa Dixon-Briggs, Employee Representative
Bradford Seamon Jr., Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On December 30, 2020, Employee filed a Petition for Appeal with the Office of Employee Appeals (“Office” or “OEA”) challenging the District of Columbia Department of Public Works’ (“Agency”) decision to remove him from his position as a Sanitation Worker. Pursuant to a letter issued by OEA on April 7, 2021, Agency’s Answer was due on or before May 7, 2021. On May 4, 2021, Agency submitted a Motion for Extension of Time to File Answer. Subsequently, Agency filed an Answer on July 29, 2021. I was assigned this matter on October 1, 2021.

A Prehearing Conference convened in this matter on December 16, 2021. Based upon representations by the parties at the Prehearing Conference and the documents of record, it was determined that an Evidentiary Hearing was warranted. The Evidentiary Hearing was ultimately scheduled for June 28, 2022, after rescheduling numerous times for various reasons. On June 27, 2022, Employee, through his representative, submitted a withdrawal of his Petition for Appeal. Accordingly, the Evidentiary Hearing was canceled. The record is now closed.

ISSUE

Whether Employee’s Petition for Appeal should be dismissed based on his voluntary withdrawal.

ANALYSIS AND CONCLUSION

On June 27, 2022, Employee, by and through his representative, submitted a withdrawal of his appeal before this Office. There being no basis to proceed with Employee's petition, the Evidentiary Hearing was canceled, and the record was closed. Accordingly, I find that Employee's Petition for Appeal should be dismissed.

ORDER

It is hereby **ORDERED** that Employee's Petition for Appeal is **DISMISSED**.

FOR THE OFFICE:

/s/ Arien P. Cannon _____
ARIEN P. CANNON, ESQ.
Administrative Judge