

Notice: This decision may be formally revised before it is published in the *District of Columbia Register*. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	OEA Matter No.: 1601-0234-11
REGINALD SEACE,)	
Employee)	
)	Date of Issuance: January 24, 2014
v.)	
)	
D.C.DEPARTMENT OF YOUTH)	
REHABILITATION SERVICES,)	
Agency)	
)	
)	Arien P. Cannon, Esq.
)	Administrative Judge
_____)	
Steven J. Kramer, Esq., Employee Representative		
Rahsaan Dickerson, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On September 29, 2011, Reginald Seace (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“Office” or “OEA”) challenging the Department of Youth Rehabilitation Services’ (“Agency”) decision to remove him from his position with Agency. Employee was a Youth Development Representative with Agency. This matter was assigned to me on June 18, 2013. A Prehearing Conference was held on October 18, 2013. Prior to the Evidentiary Hearing Scheduled before this Office, Employee submitted a Withdrawal of Appeal based on a settlement between the parties. Employee’s Withdrawal of Appeal was submitted on January 24, 2014. The record is now closed.

JURISDICTION

Jurisdiction of this Office is established in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether Employee's Petition for Appeal should be dismissed based on his voluntary withdrawal as a result of settlement negotiations.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states, in pertinent part, that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

On January 24, 2014, Employee submitted a Withdrawal of Appeal to this Office based on a Settlement Agreement between the parties. Accordingly, Employee's Petition for Appeal is hereby **DISMISSED** with prejudice.

ORDER

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

FOR THE OFFICE:

Arien P. Cannon, Esq.
Administrative Judge