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**THE DISTRICT OF COLUMBIA**

**BEFORE**

**THE OFFICE OF EMPLOYEE APPEALS**

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In the Matter of: )  
STEVEN ASHER )  
Employee ) OEA Matter No. 1601-0098-08  
v. ) Date of Issuance: November 27, 2009  
D.C. DEPARTMENT OF )  
TRANSPORTATION )  
Agency )  
Sheryl Sears, Esq. )  
Administrative Judge )

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Steven Asher, Employee, *Pro Se*  
Melissa Williams, Esq., Agency Representative

**INITIAL DECISION**

INTRODUCTION AND FINDINGS OF FACT

Steven Asher (“Employee”) was a Resource Analyst for the Resource Management group of the D.C. Department of Transportation (“Agency”) for six (6) years. On April 22, 2008, Carol Kissal, Deputy Director, Resource Management, issued an advance notice of a proposal to remove Employee for “unsatisfactory work performance.” By letter dated May 30, 2008, Agency issued notice of its final decision. The removal was effective on June 6, 2008.

On June 23, 2008, Employee filed an appeal with the D.C. Office of Employee Appeals (“OEA” or “the Office”). The parties convened for a pre-hearing conference on October 29, 2008. Further proceedings were stayed when the Office temporarily suspended evidentiary hearings due to budgetary limitations. A second conference was convened on October 14, 2009, in preparation for an evidentiary hearing.

On November 27, 2009, Employee submitted a letter stating, “I have decided at this time not to pursue my appeal any further.” Thus, Employee withdrew his appeal.

JURISDICTION

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

ANALYSIS AND CONCLUSION

Based upon Employee's voluntary withdrawal of his petition for appeal, the petition will be dismissed with prejudice.

ORDER

It is hereby ordered that the petition in this matter is dismissed with prejudice.

FOR THE OFFICE:

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Sheryl Sears, Esq.  
Administrative Judge