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THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
AMINA MADDOX,)	
Employee)	OEA Matter No. 1601-0060-17
)	
v.)	Date of Issuance: November 6, 2017
)	
DISTRICT OF COLUMBIA)	MONICA DOHNJI, Esq.
OFFICE OF THE ATTORNEY GENERAL,)	Senior Administrative Judge
Agency)	
_____)	
Amina Maddox, Employee, <i>Pro Se</i>		
Nada Paisant, Esq., Agency's Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On June 21, 2017, Amina Maddox (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Office of the Attorney General’s (“Agency” or “OAG”) decision to terminate her from her position of Assistant Attorney General, effective June 17, 2017. On August 25, 2017, Agency filed its Answer to Employee’s Petition for Appeal noting that OEA lacks jurisdiction to consider the appeal because Employee was terminated from a “Legal Service” position. Thereafter, on August 25, 2017, Employee notified this Office via email that “...the parties have amicably resolved this matter. Accordingly, I hereby withdraw my appeal.”¹ I was assigned this matter on November 3, 2017. The record is now closed.

JURISDICTION

The jurisdiction of this Office, pursuant to *D.C. Official Code, § 1-606.03 (2001)*, has not been established.

¹ See August 25, 2017 email from Employee to Administrative Judge (“AJ”) Wanda Jackson. See also email from Agency’s representative, Nada Paisant, to AJ Cannon dated October 25, 2017, notifying AJ Cannon that “[t]he parties actually previously settled the matter and Ms. Maddox submitted her notice of voluntary withdrawal on August 25, 2017 via email to Judge Wanda Jackson... As a result, this matter should be dismissed.”

ISSUE

Whether Employee's Petition for Appeal should be dismissed.

ANALYSIS AND CONCLUSIONS OF LAW

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.

In the instant matter, Employee noted in her August 25, 2017, letter to OEA that “[t]his letter is to inform the court that the parties have amicably resolved this matter. Accordingly, I hereby withdraw my appeal.” Since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, Employee's appeal is DISMISSED.

ORDER

It is hereby ORDERED that the Petition for Appeal in this matter is DISMISSED.

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Senior Administrative Judge