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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
RUTH APONTE,)	
Employee)	OEA Matter No. 1601-0067-14
)	
v.)	Date of Issuance: November 3, 2014
)	
OFFICE OF THE STATE)	
SUPERINTENDENT OF EDUCATION,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Ruth Aponte, Employee <i>Pro Se</i>)	
Adrienne Day, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On March 20, 2014, Ruth Aponte, (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Office of the State Superintendent of Education’s (“Agency”) decision to terminate her effective March 7, 2014. On April 25, 2014, Agency filed its Answer to Employee’s Petition for Appeal.

Following a failed mediation attempt, this matter was assigned to the undersigned Administrative Judge (“AJ”) on July 18, 2014. On September 10, 2014, I issued an Order scheduling a Status/Prehearing Conference for October 14, 2014. While Agency’s representative was present for the scheduled Status/Prehearing Conference, Employee was a no-show. During the Status/Prehearing Conference, Agency’s representative notified the undersigned that the parties had reached a settlement in this matter. On October 31, 2014, the parties submitted a signed Withdrawal of Petition for Appeal, along with an executed settlement agreement. The record is now closed.

JURISDICTION

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

ISSUE

Whether this appeal should be dismissed.

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.

In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

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

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Administrative Judge