

THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

)
In the Matter of:)
) OEA Matter No. 1601-0031-09
DONITA THOMPSON)
Employee) Date of Issuance: May 8, 2009
)
v.) Sheryl Sears, Esq.
) Administrative Judge
DISTRICT OF COLUMBIA)
PUBLIC SCHOOLS)
)
Agency)
)

Donita Thompson, Employee, *Pro Se*
Kenneth S. Slaughter, Esq., Agency Representative
Brian M. Hudson, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND FINDINGS OF FACT

Donita Thompson (“Employee”) was a Bus Attendant with Agency’s Division of Transportation. By letter dated October 27, 2008, Keith Pettigrew, Chief Operating Officer, notified Employee that he was proposing her removal effective on November 10, 2008. By letter dated November 10, 2008, Employee was charged with “corporal punishment – the use of physical force upon a student intentionally and with reckless disregard for the student’s safety” and removed immediately by David Gilmore, Transportation Administrator.

Employee filed an appeal on November 4, 2008. The appeal was premature but there is no dispute that the removal was effected. This Judge calendared a pre-hearing conference for May 20, 2009. However, on May 4, 2009, Agency representative Brian M. Hudson, advised this Judge, during a phone call, that Employee has been restored to duty. When contacted, Employee confirmed this and stated that she wanted to withdraw her appeal. The record is now closed.

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 her 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:

SHERYL SEARS, ESQ.
ADMINISTRATIVE JUDGE