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**THE DISTRICT OF COLUMBIA  
BEFORE  
THE OFFICE OF EMPLOYEE APPEALS**

In the Matter of:	)	
	)	OEA Matter No.: 1601-0043-21
██████████,	)	
Employee	)	
	)	Date of Issuance: January 11, 2022
v.	)	
	)	
OFFICE OF THE CHIEF	)	
TECHNOLOGY OFFICER,	)	MICHELLE R. HARRIS, ESQ.
Agency	)	Administrative Judge
	)	
	)	
Kellee Boulais Kruse, Esq., Employee Representative		
Smruti Radkar, Esq., Agency Representative		

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL HISTORY**

On August 18, 2021, Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Office of the Chief Technology Officer’s (“Agency” or “OCTO”) decision to terminate her from service. This matter was assigned to the undersigned Administrative Judge (“AJ”) on November 1, 2021. Following an Order for Answer and Statement of Good Cause issued November 16, 2021, Agency filed its Answer November 30, 2021. Agency cited in its Answer that OEA lacked jurisdiction over this matter because Employee was classified as legal service during her tenure at Agency and at the time of Separation.

On December 7, 2021, I issued an Order requiring briefs regarding this Office’s jurisdiction in this matter. Employee’s brief was due on or before December 30, 2021, and Agency’s Brief was due on or before January 10, 2022. On December 28, 2021, Employee, by and through her counsel, filed a Notice to Withdraw her appeal. The record is now closed.

**JURISDICTION**

The jurisdiction of this Office has not been established.

ISSUE

Whether this appeal should be dismissed based upon Employee's voluntary withdrawal.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

In the December 28, 2021 submission, Employee noted that she "respectfully withdraws her OEA appeal." Accordingly, I find that since Employee has filed a Notice to Withdraw and has voluntarily withdrawn her appeal, Employee's Petition should be dismissed.

ORDER

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

FOR THE OFFICE:

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MICHELLE R. HARRIS, Esq.  
Administrative Judge