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

In the Matter of:	)	
	)	
SCOTT COLMAN,	)	OEA Matter No. 1601-0066-18
Employee	)	
	)	
	)	Date of Issuance: October 23, 2018
v.	)	
	)	
D.C. PUBLIC SCHOOLS,	)	MICHELLE R. HARRIS, Esq.
Agency	)	Administrative Judge
	)	
	)	
Scott Colman, Employee, <i>Pro Se</i>	)	
Lynette A. Collins, Esq., Agency Representative	)	

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

On July 25, 2018, Scott Colman (“Employee”), filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the District of Columbia Public Schools’ (“Agency” or “DCPS”) decision to terminate him from his position as a Classroom Teacher, effective close of business July 27, 2018. On August 21, 2019, Agency filed its Answer and Motion to Dismiss Employee’s Petition for Appeal citing that OEA lacked jurisdiction over this matter because Employee resigned. This matter was assigned to the undersigned Administrative Judge (“AJ”) on September 7, 2018.

On September 11, 2018, I issued an Order Convening a Prehearing Conference in this matter for October 16, 2018. Prehearing statements were due on or before October 9, 2018. Agency filed its Prehearing Statement on September 19, 2018. On October 12, 2018, Employee emailed the undersigned and Agency’s representative, citing that he intended to withdraw his appeal. As a result of this notification, I cancelled the Prehearing Conference scheduled for October 16, 2018. On October 18, 2018, Employee filed a notice indicating that he was “withdrawing an appeal I filed against DCPS in August 2018.”<sup>1</sup> The record is now closed.

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<sup>1</sup> Employee’s Notice filed October 18, 2018.

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 FACTS, ANALYSIS AND CONCLUSIONS OF LAW

In his October 18, 2018 submission, Employee noted that he was "was withdrawing his appeal."<sup>2</sup> Since Employee has voluntarily withdrawn his appeal, Employee's petition is hereby dismissed.

ORDER

It is hereby **ORDERED** that the petition in this matter is **DISMISSED**.

FOR THE OFFICE:

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MICHELLE R. HARRIS, Esq.  
Administrative Judge

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<sup>2</sup> *Id.*