

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
Victor Byrd)	OEA Matter No. 1601-0001-11
Employee)	
)	Date of Issuance: April 29, 2013
v.)	
)	Joseph E. Lim, Esq.
Department of Corrections)	Senior Administrative Judge
_____)	
Agency)	

Lindsay Neinast, Esq., Agency Representative
Laura Kakuk, Esq., Employee Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL HISTORY

On October 1, 2010, Employee appealed from Agency's (Department of Corrections or DOC) final decision, effective September 17, 2010, removing him from his position as Correctional Officer at the D.C. Jail for "neglect of duty." Employee was accused of negligent and improper interaction with a prison inmate. This matter was assigned to me on July 18, 2012. I scheduled a prehearing conference for October 12, 2012, and ordered the submission of prehearing statements. Although Agency complied, Employee failed to do so. I thereby issued an Order for Good Cause to Employee. On October 19, 2012, Employee replied that he had just retained counsel and asked for more time for preparation. Thereafter the parties submitted a joint motion for scheduling. I held a March 8, 2013 conference and ordered the parties to submit a stipulation of facts and to explore the possibility of settlement or mediation.

Shortly thereafter, the parties jointly notified their intention to settle the matter. On April 19, 2013, the parties submitted a joint motion to dismiss the appeal, indicating that they had signed a settlement agreement. The record is closed.

JURISDICTION

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

ISSUE

Whether this matter should be dismissed.

ANALYSIS AND CONCLUSIONS

Since the parties have settled the matter, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that the petition in this matter is dismissed with prejudice.

FOR THE OFFICE:

JOSEPH E. LIM, ESQ.
Senior Administrative Judge