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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
BRIDGET PETERSON,)	
Employee)	OEA Matter No. 2401-0033-10
)	
v.)	Date of Issuance: December 21, 2011
)	
D.C. DEPARTMENT OF)	
MENTAL HEALTH,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	

Donna Rucker Williams, Esq., Employee Representative¹
Frank McDougald, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On October 9, 2009, Bridget Peterson (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the D.C. Department of Mental Health’s (“DMH” or “Agency”) action of abolishing her position as a Management Analyst through a Reduction-In-Force (“RIF”). I was assigned this matter on or around November 15, 2011. Subsequently, I issued an Order convening a Prehearing Conference for January 4, 2012. The Prehearing statement in this matter was due on December 20, 2011. Agency timely submitted its Prehearing statement. On December 9, 2011, I received a telephone call from Ms. Williams, who identified herself as Employee’s Counsel. Ms. Williams noted that Employee had filed a Federal discrimination case against Agency, and as such, Employee would like to dismiss her appeal pending with OEA. I indicated to Ms. Williams that absent a written, signed request for dismissal from Employee or her representative, I am unable to dismiss this matter. Thereafter, following a telephone conversation between the undersigned and Employee on December 20, 2011, Employee emailed a signed and scanned copy of her request to dismiss her appeal.² This letter states in pertinent parts as follows: “...I would prefer to have the federal court case go forward and dismiss the OEA appeal... I am therefore, confirming my preference

¹ Ms. Donna Rucker Williams is not listed on Employee’s petition for appeal as her designated representative. However, both Employee and Ms. Williams indicated during telephone calls to this Office that Ms. Williams is Employee’s Counsel.

² See Employee’s letter dated December 20, 2011.

to have the federal court case go forward and to dismiss the OEA appeal....” A copy of this document was forwarded to both Agency’s and Employee’s representative via email.

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

Based on Employee’s letter dated December 20, 2011, I find that Employee has voluntarily withdrawn her appeal, and therefore, her 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