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

In the Matter of:	)	
	)	
MELISSA SWINSON,	)	OEA Matter No.: 1601-0005-13
Employee	)	
	)	Date of Issuance: April 17, 2013
v.	)	
	)	
OFFICE OF THE STATE	)	STEPHANIE N. HARRIS, Esq.
SUPERINTENDENT OF EDUCATION,	)	Administrative Judge
Agency	)	
	)	
	)	
Melissa Swinson, Employee <i>Pro-Se</i>	)	
Hillary Hoffman-Peak, Esq., Agency Representative	)	

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

On October 2, 2012, Melissa Swinson (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting her termination from the District of Columbia Office of the State Superintendent of Education (“Agency” or “OSSE”). A Mediation Conference was held on March 25, 2013. Subsequently, the parties were able to reach a settlement in this matter. On April 10, 2013, the parties submitted a signed settlement agreement, which denoted that Employee was withdrawing her Petition for Appeal. This matter was assigned to me on April 12, 2013. The record is now closed.

JURISDICTION

The Office has jurisdiction pursuant to D.C. Official Code § 1-606.03 (2001).

ISSUE

Whether this matter should be dismissed.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states in pertinent part that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

The parties have submitted an executed settlement agreement, including a Statement of Withdrawal from Employee. Therefore, Employee's Petition for Appeal is dismissed.

ORDER

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

FOR THE OFFICE:

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STEPHANIE N. HARRIS, Esq.  
Administrative Judge