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

_____)	
In the Matter of:)	
)	
LARRY MANGUM,)	
Employee)	
)	OEA Matter No. J-0047-16
v.)	
)	Date of Issuance: August 12, 2016
EXECUTIVE OFFICE OF THE MAYOR,)	
Agency)	
)	Michelle R. Harris, Esq.
_____)	Administrative Judge
Larry Mangum, Employee, <i>Pro Se</i>		
Andrea Comentale, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On May 12, 2016, Larry Mangum (“Employee”), filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Executive Office of the Mayor’s (“Agency”) decision to terminate him. I was assigned this matter on June 13, 2016. On June 17, 2016, Agency submitted its Answer and Motion to Dismiss Employee’s Petition for Appeal. Agency cited that that OEA lacks jurisdiction to hear this case because Employee was in an Excepted Service position. Because Agency noted that OEA lacked jurisdiction to hear this matter, on June 24, 2016, I issued an Order requiring Employee to address the jurisdiction issue in this matter. Employee had until July 11, 2016 to reply. Agency’s response was due on or before July 22, 2016. Employee did not submit his brief by the deadline. Accordingly, I issued an Order for Statement of Good Cause on July 18, 2016. Employee had until July 29, 2016, to submit his brief and a statement of good cause for his failure to submit a response to the June 24, 2016, Order.

On July 29, 2016, Employee filed a response with this Office stating that he was in Excepted Service at the time of his dismissal.¹ Further, Employee requested that the “Agency’s Motion to Dismiss be upheld and my appeal dismissed.”² The record is now closed.

¹ Employee’s Response filed July 29, 2016.

² *Id.*

JURISDICTION

The jurisdiction of this Office has not been established.

ISSUE

Whether this appeal should be dismissed based upon Employee's request for the dismissal of this matter.

FINDINGS OF FACTS, ANALYSIS AND CONCLUSIONS OF LAW

In the instant matter, since Employee has requested that this matter be dismissed, Employee's petition is hereby dismissed.

ORDER

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

FOR THE OFFICE:

Michelle R. Harris, Esq.
Administrative Judge