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

_____	)	
In the Matter of:	)	
	)	
SEAN THOMAS,	)	
Employee	)	OEA Matter No. 1601-0023-11
	)	
v.	)	Date of Issuance: January 15, 2013
	)	
OFFICE OF THE STATE	)	
SUPERINTENDENT OF EDUCATION,	)	MONICA DOHNJI, Esq.
Agency	)	Administrative Judge
_____	)	
Sean Thomas, Employee <i>Pro Se</i>	)	
Hillary Hoffman-Peak, Esq., Agency Representative	)	

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL BACKGROUND**

On November 16, 2010, Sean Thomas (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Office of the State Superintendent of Education’s (“Agency”) decision to terminate him from his position as a Motor Vehicle Operator. On March 9, 2011, Agency filed its Answer to Employee’s Petition for Appeal, along with a Motion to Dismiss.

I was assigned this matter on July 26, 2012. Thereafter, on August 8, 2012, the undersigned issued an Order scheduling a Status Conference for September 12, 2012. While Employee was present for the Status Conference, Agency was a no-show. On September 17, 2012, Agency submitted a brief highlighting the reasons why it did not attend the September 12, 2012, Status Conference. Subsequently, on September 19, 2012, I issued an Order rescheduling the Status Conference for October 3, 2012. On October 9, 2012, I issued a Post-Status Conference Order wherein, I required the parties to submit briefs and supporting documents addressing the issues raised at the Status Conference. On October 31, 2012, Agency, via email, notified the undersigned that it had received authority to mediate this matter. As such, this matter was referred to mediation. Thereafter, the parties agreed to a settlement during a Mediation Conference. On January 4, 2013, the undersigned received the parties’ written settlement

agreement, along with Employee's request to withdraw his appeal with prejudice. The record is now closed.

JURISDICTION

This 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

Since the parties have settled this matter and Employee has voluntarily withdrawn his appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

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MONICA DOHNJI, Esq.  
Administrative Judge