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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
KARINA BAXTER,)	
Employee)	OEA Matter No.: 1601-0101-13
)	
v.)	Date of Issuance: May 13, 2014
)	
D.C. DEPARTMENT OF CONSUMER)	
AND REGULATORY AFFAIRS,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Karina Baxter, Employee <i>Pro Se</i>)	
Adrienne Lord-Sorensen, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On June 12, 2013, Karina Baxter (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Department of Consumer & Regulatory Affairs’ (“DCRA” or “Agency”) decision to remove her from her position as a Copier/Duplicating/Scanning Equipment Operator effective June 14, 2013. On July 23, 2013, Agency filed its Answer to Employee’s Petition for Appeal.

I was assigned this matter on February 25, 2014. Thereafter, on February 28, 2014, the undersigned issued an Order scheduling a Status Conference for April 22, 2014. During the Status Conference, the parties agreed to settle this matter out of court. On May 12, 2014, Employee submitted a Motion to withdraw her Petition for Appeal, wherein, Employee requested that this Office grant her Motion to withdraw, since the parties were able to reach a settlement agreement. The record is now closed.

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

Employee stated in her May 12, 2014, Motion to withdraw her Petition for Appeal that she is "...filing a Motion to [w]ithdraw with prejudice the above-captioned matter because the parties were able to reach a settlement agreement."

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.

In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.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:

MONICA DOHNJI, Esq.
Administrative Judge