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

In the Matter of:	)	
	)	
EMPLOYEE,	)	OEA Matter No. 1601-0020-24R25
	)	
	)	Date of Issuance: October 7, 2025
v.	)	
	)	Joseph E. Lim, Esq.
DEPARTMENT OF CORRECTIONS,	)	Senior Administrative Judge
<u>Agency</u>	)	
Ann Kathryn-So, Esq., Employee Representative		
Zita Orji, Esq. Agency Representative		

INITIAL DECISION ON REMAND

INTRODUCTION AND PROCEDURAL HISTORY

Employee filed a Petition for Appeal with the Office of Employee Appeals (“OEA”) on January 8, 2024, appealing the decision of the D.C. Department of Corrections (“DOC” or “Agency”) to suspend him from his position as a Correctional Officer for thirty (30) days without pay due to alleged charges of failure/refusal to follow instructions and neglect of duty. After OEA requested Agency’s response on January 8, 2024, Agency submitted its Answer to the Petition for Appeal on February 7, 2024. After this matter was assigned to me on February 7, 2024, Agency filed a Motion to Dismiss for lack of jurisdiction on March 18, 2024, and Employee submitted his sur-reply on May 9, 2024. On July 16, 2024, I issued an Initial Decision (“ID”) dismissing Employee’s appeal for lack of jurisdiction.

Employee appealed the ID on August 15, 2024, while Agency filed its response withdrawing its jurisdictional objection on September 15, 2024. On March 6, 2025, the OEA Board remanded this matter to the undersigned for resolution of the appeal on its merits. I scheduled a Prehearing Conference for April 24, 2025. On April 22, 2025, and again on June 24, 2025, Employee submitted Consent Motions to Stay Proceedings and Extend Discovery. After I granted his Motions, Employee submitted a voluntary withdrawal of his appeal on August 21, 2025, indicating that the parties have agreed to arbitration. The record is closed.

JURISDICTION

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

ISSUE

Should the petition be dismissed?

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS

Since Employee has voluntarily withdrawn his appeal, Employee's petition for appeal is dismissed.

ORDER

It is hereby ORDERED that this matter is DISMISSED with prejudice.

FOR THE OFFICE:

s/Joseph Lim

Joseph E. Lim, Esq.

Senior Administrative Judge