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

_____	)	
In the Matter of:	)	
	)	
RUBEN SCHURMAN,	)	
Employee	)	OEA Matter No. 2401-0115-10
	)	
v.	)	Date of Issuance: April 24, 2012
	)	
DISTRICT OF COLUMBIA	)	
PUBLIC SCHOOLS,	)	
Agency	)	ERIC T. ROBINSON, Esq.
	)	Senior Administrative Judge
_____	)	
Ruben Schurman, Employee	)	
W. Iris Barber, Esq., Agency Representative	)	

**INITIAL DECISION**

INTRODUCTION AND PROCEDURAL BACKGROUND

On October 30, 2009, Ruben Schurman (“Employee”) filed a petition for appeal with the Office of Employee Appeals (“OEA” or “the Office”) contesting the District of Columbia Public Schools (“Agency”) action of removing him from service through a Reduction-In-Force (“RIF”). I was assigned this matter on or around February 6, 2012. On February 9, 2012, I ordered the parties to submit briefs on the issue of whether Agency conducted the instant RIF in accordance with applicable District laws, statues, and regulations. Due to a typographical error, on February 15, 2012, I sent out an amended order which provided the parties with additional time in which to submit their respective briefs. The Agency submitted its brief in a timely manner. Employee failed to submit a brief.

On March 16, 2012, I issued an Order for Statement of Good Cause. This order required Employee to submit a written statement of good cause for his failure to respond to my February 15, 2012, order. Employee was to respond to this order on or before March 26, 2012. On or around April 17, 2012, Employee telephoned the undersigned and indicated that he did not wish to proceed with his petition for appeal explaining that he was still gainfully employed with DCPS and that he had not suffered a break in service. Employee further explained that at the time of the RIF, he was stationed at multiple schools whereas the RIF only affected one of the schools he was stationed. I told Employee that if he wished to withdraw his appeal he needed to

execute a letter noting his desire to withdraw his petition for appeal. On April 17, 2012, Employee submitted a letter requesting that this matter be withdrawn. The record is now closed.

JURISDICTION

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

ISSUE

Should this matter be dismissed?

ANALYSIS AND CONCLUSION

The Employee has voluntarily withdrawn his petition for appeal. Pursuant to this withdrawal, I conclude that this matter may now be dismissed.

ORDER

It is hereby ORDERED that this matter be DISMISSED.

FOR THE OFFICE:

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ERIC T. ROBINSON Esq.  
Senior Administrative Judge