Notice: This decision may be formally revised before it is published in the *District of Columbia Register* and on the Office of Employee Appeals' website. Parties should promptly notify the Office Manager of any formal errors so that this Office can correct them before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

# THE DISTRICT OF COLUMBIA BEFORE THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:	
EMPLOYEE <sup>1</sup> , ) Employee )	OEA Matter No. 1601-0078-22
v. )	Date of Issuance: November 16, 2022
D.C. DEPARTMENT OF PARKS AND RECREATION, Agency )	MICHELLE R. HARRIS, ESQ. Administrative Judge
Employee, <i>Pro Se</i> Amy Caspari, Esq., Agency Representative	

## **INITIAL DECISION**

#### INTRODUCTION AND PROCEDURAL HISTORY

On August 22, 2022, Employee filed a Petition for Appeal with the Office of Employee Appeals ("OEA" or "Office") contesting the District of Columbia Department of Parks and Recreation's ("Agency") decision to suspend her from service for thirty (30) days, effective July 20, 2022. On August 22, 2022, OEA issued a Request for Agency's Answer to Employee's Petition for Appeal. On September 21, 2022, Agency filed a consent request for a two-week extension to file its Answer.<sup>2</sup> Agency cited therein that the parties were "discussing the possibility of settlement." The request for the extension was granted by OEA Executive Director, Sheila Barfield, Esq. On October 24, 2022, Employee filed a notice citing that she was withdrawing her Petition for Appeal.<sup>3</sup> This matter was assigned to the undersigned Administrative Judge ("AJ") on November 9, 2022. The record is now closed.

<sup>&</sup>lt;sup>1</sup> Employee's name was removed from this decision for the purposes of publication on the Office of Employee Appeals' website.

<sup>&</sup>lt;sup>2</sup> On September 20, 2022, OEA Executive Director Sheila Barfield, Esq., notified Agency's representative that because this matter had not yet been assigned to an administrative judge, that the request for an extension of time should not be filed in the form of a motion. Thereafter, Agency's representative made the request directly to Director Barfield.

<sup>&</sup>lt;sup>3</sup> In a letter dated October 19, 2022, but received at OEA on October 24, 2022, Employee cited that she was "writing to inform you that I will be withdrawing my OEA case #1601-0078-22. We have come to an [sic] conclusion. Thank you for your hard work."

## **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 based upon Employee's voluntary withdrawal.

### FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

Employee notified this Office in her October 24, 2022, submission, that she wished to withdraw her matter before this Office. Employee cited that she "would be withdrawing her matter and that the matter had come to conclusion." Accordingly, since Employee has voluntarily withdrawn her appeal, I find that Employee's Petition for Appeal should be dismissed.

### **ORDER**

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

FOR THE OFFICE:

/s/ Michelle R. Harris
MICHELLE R. HARRIS, Esq.
Administrative Judge

<sup>&</sup>lt;sup>4</sup> Employee's Withdrawal Notice (October 24, 2022).