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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
ANGELIA SMITH,)	
Employee)	OEA Matter No. 1601-0212-12
)	
v.)	Date of Issuance: March 25, 2013
)	
OFFICE OF THE STATE)	
SUPERINTENDENT OF EDUCATION,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Angelia Smith, Employee <i>Pro Se</i>		
Hillary Hoffman-Peak, Esq., Agency Representative		

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On August 20, 2012, Angelia Smith (“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 (“OSSE” or “Agency”) action of terminating her from her position as a Bus Attendant, effective February 22, 2012. On September 24, 2012, Agency submitted its Answer to Employee’s Petition for Appeal. Thereafter, a Mediation Conference was held on February 11, 2013. The parties agreed to a settlement during the Mediation Conference. Subsequently, on March 20, 2013, the parties submitted a signed Settlement Agreement, along with a Withdrawal of Appeal, wherein, Employee requested that her appeal with this Office be dismissed 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

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In the instant matter, since the parties have submitted an executed settlement agreement, and Employee has voluntarily withdrawn her appeal, I find that Employee's Petition for Appeal is dismissed.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