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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

In the Matter of:)	
)	
SHARONETTE SMITH)	OEA Matter No. 1601-0141-13
Employee)	
)	Date of Issuance: June 16, 2014
v.)	
)	Lois Hochhauser, Esq.
OFFICE OF THE STATE SUPERINTENDENT)	Administrative Judge
OF SCHOOLS)	
Agency)	
)	

Sharonette Smith, Employee, *Pro Se*
Hillary Hoffman-Peak, Esq., Agency Representative

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

Sharonette Smith, Employee, filed a petition with the Office of Employee Appeals (OEA) on August 28, 2013, appealing the final decision of the Office of the State Superintendent of Schools, Agency, to terminate her employment as a Bus Attendant, effective July 1, 2009¹. Employee represented herself in this matter. Hillary Hoffman-Peak, Esq. represented Agency. On April 21, 2014, the parties filed a Settlement Agreement and a Withdrawal of Appeal with this Office. The matter was assigned to this Administrative Judge on April 24, 2014. The record closed on April 24, 2014.

JURISDICTION

The jurisdiction of this Office was not established.

ISSUE

Should this matter be dismissed?

¹This is the date stated on the petition for appeal. The final agency notice was not submitted.

FINDINGS OF FACT, ANALYSIS AND CONCLUSIONS OF LAW

On April 21, 2014, the parties filed a Settlement Agreement, signed by both Employee and Agency Representative. The Agreement, in pertinent part, stated that Employee would withdraw her petition for appeal. In addition, they filed a document entitled Withdrawal of Appeal, signed by the same parties, which stated that the parties had settled the matter and that Employee “withdraws her appeal and requests that [it be dismissed] with prejudice.” It appears that Employee signed both documents knowingly and voluntarily. The Administrative Judge is authorized to dismiss this matter based on Employee’s request that the petition for appeal be withdrawn as a result of the voluntary settlement of the matter. *See, e.g., Rollins v. District of Columbia Public Schools*, OEA Matter No. J-0086-92, *Opinion and Order on Petition for Review* (December 3, 1990). Therefore, the Administrative Judge concludes that the request to withdraw the petition for appeal based on the resolution of this matter should be granted, and that this petition for appeal should be dismissed. The Administrative Judge commends the parties on their successful resolution of this matter.

ORDER

It is hereby:

ORDERED: The petition for appeal is DISMISSED.

FOR THE OFFICE:

Lois Hochhauser, Esq.
Administrative Judge