

Notice: This decision is subject to formal revision before publication in the District of Columbia Register. Parties are requested to notify the Office Manager of any formal errors in order that corrections may be made prior to publication. 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:	)	
	)	
WILBERT NORFLEET,	)	
Employee	)	OEA Matter No. 1601-0004-06
	)	
v.	)	Date of Issuance: March 17, 2006
	)	
D.C. DEPARTMENT OF	)	
CORRECTIONS,	)	
Agency	)	ERIC T. ROBINSON, Esq.
	)	Administrative Judge
	)	
Edwin Hull, Employee Representative	)	
Fred Staten Jr., Agency Representative	)	

**INITIAL DECISION**

**INTRODUCTION AND PROCEDURAL HISTORY**

On October 5, 2005, Wilbert Norfleet (hereinafter “the Employee”) timely filed a Petition for Appeal with the Office of Employee Appeals (hereinafter “the Office”) contesting the D.C. Department of Corrections (hereinafter “the Agency”) imposition of a twenty (20) day suspension. I was assigned this matter on December 16, 2005. On that same day, I issued an Order Convening a Prehearing Conference set to occur on February 2, 2006. The Prehearing Conference was held as scheduled. After reviewing the parties’ positions as stated during the Prehearing Conference and in the documents of record, I found that there existed no material issues of fact that would warrant an Evidentiary Hearing. Therefore, I decided that an Evidentiary Hearing was unnecessary. I Ordered both parties’ to submit final legal briefs in this matter. On March 3, 2006, the parties entered into settlement negotiation under the auspices of this Office’s Mediation and Conciliation program. On March 17, 2006, I received a fully executed settlement agreement. The record is now closed.

ISSUE

Whether this case may be dismissed.

JURISDICTION

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

ANALYSIS AND CONCLUSION

D.C. Official Code § 1-606.06(b) (2001) states in pertinent part that:

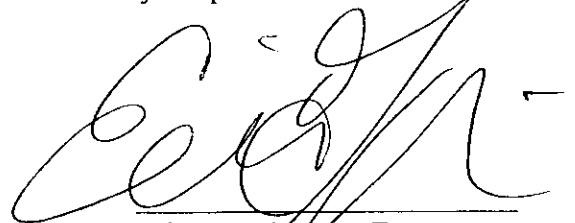
If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

The parties have submitted a fully executed settlement agreement that resolves the underlying issues in this matter. This meets the requirements of the above provision of the D.C. Code and constitutes the final and binding resolution of the appeal. Therefore, I conclude that this matter should be dismissed.

ORDER

It is hereby ORDERED that this matter was settled by the parties and is therefore DISMISSED with prejudice.

**FOR THE OFFICE:**



Eric T. Robinson, Esq.  
Administrative Judge