Notice: This decision may be revised before publication in the *District of Columbia Register*. Parties should promptly notify the Office of any formal errors so that this Office can correct them before publishing this decision. This notice is not intended to provide an opportunity for substantive challenge to the decision.

THE DISTRICT OF COLUMBIA

BEFORE

THE OFFICE OF EMPLOYEE APPEALS

| In the Matter of: |) | |
|----------------------|---|--------------------------------|
| |) | |
| MICHAEL SEATON |) | |
| Employee |) | |
| |) | OEA Matter No. 1601-0010-96 |
| V. |) | |
| |) | Date of Issuance: May 14, 2001 |
| D.C. FIRE DEPARTMENT |) | |
| Agency |) | |
| |) | |
| |) | |

OPINION AND ORDER ON PETITION FOR REVIEW

Employee filed a Petition for Review that, based on information not available when the record was closed, alleges "lesser discipline was administered to other individuals." It is not explained why the information was not available at the time of the proceeding before the Administrative Judge, nor was there a statement of fact to elaborate on the allegation. Such a bare allegation cannot serve as the basis for granting a petition for review. Although the

Board can allow pro se litigants considerable leeway in appealing an initial decision, the Board does require sufficient detail in the petition for review as to why the initial decision is erroneous or why the Board should consider new evidence. See Goldberg v. Department of Defense, 39 M.S.P.R. 515 (1989); Boykin v. Department of Human Services, OEA Matter No. J-0190-91, Opinion and Order on Petition for Review (May 22, 1992), __ D.C. Reg. __); Grey v. Department of Pub. Works, OEA Matter No. JT-0083-91, Opinion and Order on Petition for Review (Aug. 19, 1991), _ D.C. Reg. _ (); Hilton v. District of Columbia Fire Dep't, OEA Matter No. 1601-0233-89, Opinion and Order on Petition for Review (Jan. 30, 1998), __ D.C. Reg. __ (); Lawrence v. Department of Admin. Services, OEA Matter No. 1601-0065-85, Opinion and Order on Petition for Review (May 22, 1992), __ D.C. Reg. __ (); Richmond v. District of Columbia Pub. Sch., OEA Matter No. J-0230-93, Opinion and Order on Petition for Review (Sept. 2, 1994), _ D.C. Reg. _ (); White v. District of Columbia Fire Dep't, OEA Matter No. 1601-0149-91, Opinion and Order on Petition for Review (Sept. 2, 1994), __ D.C. Reg. __ ().

This matter having come before the Board upon Agency's Petition for Review of an Initial Decision issued August 11, 1999, and the Board having carefully reviewed the entire record and the Initial Decision, the Board concludes that the Administrative Judge based her decision on substantial evidence in the record and correctly stated the applicable law. Accordingly, the Administrative Judges's decision is hereby adopted as the opinion of the Board and is hereby AFFIRMED.

ORDER

Accordingly, it is hereby ORDERED that Agency's Petition for Review is DENIED.

FOR THE BOARD:

Keith E. Washington, Chair

Gwendolyn Hemphill

Michael Wolf, Esq.

The initial decision in this matter shall become a final decision of the Office of Employee Appeals 5 days after the issuance of this order. An appeal from a final decision of the Office of Employee Appeals may be taken to the Superior Court of the District of Columbia within 30 days after formal notice of the decision or order sought to be reviewed.