

**BEFORE THE
MERIT SYSTEM PROTECTION BOARD
FOR
MONTGOMERY COUNTY, MARYLAND**

IN THE MATTER OF

[REDACTED],

APPELLANT,

AND

**MONTGOMERY COUNTY
GOVERNMENT,**

EMPLOYER.

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CASE NO. 18-15

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ORDER OF DISMISSAL

Appellant filed an appeal from the Montgomery County Department of Police's decision to terminate him from the position of Traffic Enforcement Technician II, effective November 10, 2017. The Merit System Protection Board (Board or MSPB) received the appeal on November 6, 2016. That same day the Board acknowledged the Appeal, assigned the matter the above referenced case number, and advised Appellant that processing of his Appeal would be stayed until he provided the Board with a complete copy of the Notice of Termination. On November 13, the Board received the Notice of Termination and issued a scheduling letter. Appellant filed an email with the Board asking to withdraw his Appeal in the above-captioned case on November 16, 2017.

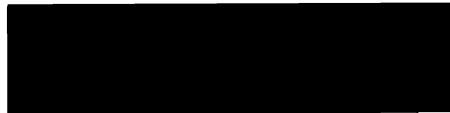
Pursuant to Montgomery County Personnel Regulations (MCPR), § 35-7(d), the Board may dismiss an appeal if the appeal becomes moot. The Board has long held that the withdrawal of an appeal by an appellant renders that appeal moot. MSPB Case No. 17-11 (2017); MSPB Case No. 16-17 (2016); MSPB Case No. 88-15 (1990). *See* MCPR § 35-7(b) (Board may dismiss an appeal if the appellant fails to prosecute the appeal). Appellant's request to withdraw his Appeal in this matter renders the Appeal moot.

Accordingly, the Board hereby **ORDERS**, that the above-captioned appeal be **DISMISSED**.

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If any party disagrees with the decision of the Merit System Protection Board, pursuant to Montgomery County Code, § 33-15, *Judicial review and enforcement*, and MCPR, § 35-18, *Appeals to court of MSPB decisions*, within 30 days an appeal may be filed with the Circuit Court for Montgomery County, Maryland, in the manner prescribed under Chapter 200, Title 7 of the Maryland Rules.

For the Board
November 21, 2017



Charlotte Crutchfield
Chair