

**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**
One Judiciary Square
441 Fourth Street, NW
Washington, DC 20001-2714
TEL: (202) 442-9094
FAX: (202) 442-9451

DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

2010 JUL 29 P 2: 19

SHIRLEY MANLEY

Petitioner,

v.

CHARLES DAVIS

Respondent.

Case No.: 2009-OAH-DHCD-0000066
Agency No.: TP 29788

In re: 3504 Minnesota Ave, SE #1

FINAL ORDER

On December 7, 2009, Shirley Manley filed TP 29788 and alleged that Charles Davis violated various provisions of the Rental Housing Act of 1985, D.C. Official Code §§ 42-3501.01 – 3509.07. On July 28, 2010, Petitioner filed a summary motion for voluntary dismissal of the tenant petition with prejudice.

OAH Rule 2817.1, 1 DCMR 2817.1, the rule governing voluntary dismissals by a petitioner, provides that “a petitioner may file a summary motion for voluntary dismissal of any action, or of any claim asserted in an action, at any time, . . . and the presiding Administrative Law Judge may grant a summary motion for voluntary dismissal without awaiting a response from the respondent.” OAH Rule 2817.4, 1 DCMR 2817.4 also provides that “[u]nless otherwise provided by statute, these Rules or an order of this administrative court, a dismissal under this rule is without prejudice unless otherwise stipulated by the parties” Since

Petitioner has filed a motion for voluntary dismissal and stipulated that the dismissal is with prejudice, the court will dismiss this action in accordance with Petitioner's request.

Therefore, it is this 29th day of July, 2010:

ORDERED, that Petitioner's motion for voluntary dismissal is hereby **GRANTED**; and it is further

ORDERED, that Case No. 2009-OAH-DHCD-0000066, Agency No. TP 29788 is hereby **DISMISSED WITH PREJUDICE**; and it is further

ORDERED, that the appeal rights of any party aggrieved by this Order are set forth below.



Nicholas H. Cobbs
Administrative Law Judge

APPEAL RIGHTS

Pursuant to D.C. Official Code §§ 2-1831.16(b) and 42-3502.16(h), any party aggrieved by a final order issued by the Office of Administrative Hearings may appeal the final order to the District of Columbia Rental Housing Commission within ten (10) business days after service of the final order, in accordance with the Commission's rule, 14 DCMR 3802. If the final order is served on the parties by mail, an additional three (3) days shall be allowed, in accordance with 14 DCMR 3802.2.

Additional important information about appeals to the Rental Housing Commission may be found in the Commission's rules, 14 DCMR 3800 et seq., or you may contact the Commission at the following address:

District of Columbia Rental Housing Commission
441 4th Street, N.W.
Suite 1140 North
Washington, D.C. 20001
(202) 442-8949

Certificate of Service:

By First-Class Mail (Postage Paid):

Shirley Manley
3504 Minnesota Ave, SE #1
Washington, DC 20019

Martin J. Mesmer
FAS Management
730 24th Street, NW, #19
Washington, DC 20020

Charles Davis
2412 Minnesota Ave, SE #301
Washington, DC 20020

By Inter-Agency Mail:

District of Columbia Rental Housing Commission
441 4th Street, N.W.
Suite 1140 North
Washington, D.C. 20001

Theresa Lewis
Acting Rent Administrator
District of Columbia Department of Housing and
Community Development
Housing Regulation Administration
1800 Martin Luther King Jr. Avenue, SE
Washington, DC 20020

I hereby certify that on 7-29, 2010
this document was caused to be served upon the
above-named parties at the addresses and by the
means stated.


Clerk / Deputy Clerk