

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

**IN THE MATTER OF**

**████████████████████,**

**APPELLANT,**

**AND**

**MONTGOMERY COUNTY  
GOVERNMENT,**

**EMPLOYER**

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**CASE NO. 22-14**

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**ORDER OF DISMISSAL**

Appellant electronically filed the above captioned appeal with the Merit System Protection Board (Board or MSPB) on October 14, 2021.

The County filed a response to the appeal on November 15, 2021, and Appellant filed a response on December 6, 2021. On December 7, 2021, Appellant emailed the Board with certain procedural questions. The Board’s Executive Director responded by email shortly thereafter. The next day Appellant submitted an email indicating that she wished to withdraw her appeal. The Board’s Executive Director responded to Appellant by providing additional information on appeal procedures and asking Appellant to confirm if she still wished to withdraw her appeal. On December 14, 2021, Appellant emailed the Board thanking the Executive Director for the additional information and stating that she nevertheless still wished to withdraw her appeal.

Pursuant to MCPR, §35-7(d), the Board may dismiss an appeal if the appeal becomes moot. The Board has long taken the position that the withdrawal of an appeal renders that appeal moot. MSPB Case No. 21-02 (2020); MSPB Case No. 17-18 (2017).

Accordingly, it is hereby **ORDERED** that the appeal in Case No. 22-14 be and hereby is **DISMISSED**.

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 of this Order a petition for judicial review may be filed with the Circuit Court for Montgomery County, Maryland in the manner prescribed under the Maryland Rules, Chapter 200, Rule 7-202.

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For the Board  
December 15, 2021

  
Harriet E. Davidson  
Chair