

1 **BEFORE THE CITY OF SEATTLE**
2 **CIVIL SERVICE COMMISSION**

3 In the matter of the appeal of

4 **VIVIANA GARZA,**

5 Appellant

6 V.

7 **SEATTLE DEPARTMENT OF**
8 **TRANSPORTATION (SDOT)**

9 Respondent

DISMISSAL ORDER

CSC No. 22-05-001

10 A scheduling order for the first prehearing conference in this matter was served on the
11 parties for Thursday, May 19, at 10:00 a.m. The order stated, "Participation of the parties and
12 their representatives is required at this proceeding, and the appeal will be dismissed if the
13 appellant does not appeal or contact the Executive Director in advance to reschedule." On
14 Wednesday, May 18, the appellant notified the Executive Director by email that she did not wish
15 to proceed with the matter now that she was separated from City employment, and she would not
16 attend the prehearing conference.

17 On May 19, 2022, Executive Director Scheele emailed back to acknowledge the
18 Appellant's intent not to proceed with the appeal and requested that she file a formal withdrawal
19 of appeal. She also cancelled the prehearing conference based on the Appellant's expressed
20 intent that she was withdrawing her appeal. Two weeks have lapsed since that correspondence
21 and cancellation of the prehearing conference. The Appellant has not filed a formal notice of
22 appeal, nor has she requested to reschedule the prehearing conference or to proceed with her
23 appeal. CSC Rule 5.22 provides "[a]n appellant's request to withdraw shall be granted as a matter
of right and the appeal shall be dismissed."

1 **ORDER**

2 Having considered the Appellant's submissions and in accordance with the facts and
3 reasoning set forth above, I find that the Appellant's May 18, 2022, email clearly communicated
4 her intent and request to withdraw her appeal and hereby order that on that basis her appeal is
5 **dismissed.**

6 Dated this 2nd day of June 2022,
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8 FOR THE CITY OF SEATTLE PUBLIC SAFETY CIVIL SERVICE COMMISSION

9 *Andrea Scheele*
10 Andrea Scheele, Executive Director

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CERTIFICATE OF SERVICE

CSC No. 22-05-001

I, Teresa Jacobs, declare under penalty of perjury under the laws of the State of Washington, that on the date below, I caused to be served upon the below-listed parties, via email, a true and correct copy of the foregoing document: **Dismissal Order.**

Appellant: Viviana Garza

vygarza@gmail.com

Respondent: Seattle Department of Transportation

Jesse Green, Strategic Human Resources Manager

jesse.green@seattle.gov

DATED: June 2, 2022, at Seattle, Washington.

Teresa R. Jacobs

Teresa R. Jacobs, Executive Assistant
Civil Service Commission