

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**

69 West Washington, Suite 3040  
Chicago, Illinois 60602

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Darryl CARTER, Complainant )

v. )

COOK COUNTY SHERIFF'S OFFICE, )  
Respondent )

Case No. 2011E020

Entered: October 21, 2013

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**ORDER**

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On June 17, 2011, Complainant Darryl Carter (“Carter”) filed a complaint against Respondent Cook County Sheriff’s Office (“Cook County”) for an alleged violation of the Cook County Human Rights Ordinance related to a write up he received while working as a correctional officer. The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on September 27, 2013, Carter represented to Commission staff that he wished to withdraw his complaint. Commission staff provided Carter with a Withdrawal Request Form for his execution on September 27, 2013.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time prior to an Evidence Determination by the Commission.” CCHR Pro. R. 480.160. If the request is knowingly and voluntarily made, the Commission approves the request and enters an order dismissing the complaint. *Id.* The Commission’s Procedural Rules typically require that a complainant’s request to withdraw be in writing and signed by the complainant or his or her attorney of record, *see id.*, however, the Commission has waived the requirement of a written withdrawal in cases where a complainant confirms his or her oral representation of a desire to withdrawal with a voluntary action. *Cf. Gomez v. Stern Pinball, Inc.*, 2011E005 (CCHRC Apr. 6, 2011) (dismissal for failure to cooperate).

Here, Commission staff advised Carter that if he did not return the written Withdrawal Request Form by October 11, 2013, his complaint would be dismissed based on his oral statement.<sup>1</sup> October 11, 2013 has come and gone without any further contact from Carter. As such, the Commission presumes from the combination of his oral statement and his actions since that he has made a knowing and voluntary request to withdraw his complaint which should be granted pursuant to the Commission’s Procedural Rules.

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<sup>1</sup> Carter was also advised that he could contact the Commission before October 11, 2013 to withdraw his oral request. The tracking feature of the U.S. Postal Service shows that the Commission’s September 27, 2013 certified letter was delivered to Carter on September 28, 2013.

For the foregoing reasons, the Commission hereby grants Carter's request to withdraw his complaint and orders that complaint 2011E020 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

October 21, 2013

By delegation:

A handwritten signature in black ink, appearing to read "Ranjit Hakim", is written above a horizontal line.

Ranjit Hakim  
Executive Director of the Cook County  
Commission on Human Rights