

**COOK COUNTY COMMISSION ON HUMAN RIGHTS**

69 West Washington Street, Suite 3040

Chicago, Illinois 60602

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Geronimo HERNANDEZ, Complainant	)	
	)	
v.	)	Case No. 2013E005
	)	
FOREST PRESERVE DISTRICT OF	)	Entered: March 25, 2014
COOK COUNTY, <sup>1</sup> Respondent	)	

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**ORDER**

On February 11, 2013, Complainant Geronimo Hernandez (“Hernandez”) filed a complaint against Respondent Forest Preserve District of Cook County (“Cook County”), alleging retaliation in violation of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). The Cook County Commission on Human Rights (“Commission”) has not yet made an evidence determination with respect to this matter, but on March 10, 2014, Hernandez represented to Commission staff that he wished to withdraw his complaint. Commission staff provided Hernandez with a Withdrawal Request Form for his execution the same day.

The Commission’s Procedural Rules state that “[a] Complainant may request to withdraw a Complaint or any part thereof at any time.” 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. *See, e.g., Austin v. Sears, Roebuck & Co.*, 2010PA001 (CCHRC Feb. 5, 2014); *Carter v. Cook County Sheriff’s Office*, 2011E020 (CCHRC Oct. 21, 2013); *Mallette v. Cook County Health & Hospitals System*, 2012E012 (CCHRC Jan. 6, 2014).

Here, Commission staff advised Hernandez that if he did not return the written Withdrawal Request Form by March 24, 2014, his complaint would be dismissed based on his oral statement.<sup>2</sup> This deadline has passed without any further contact from Hernandez. As such, the Commission presumes from the combination of his oral statement and his actions since that

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<sup>1</sup>Hernandez’s complaint names “Cook County Forest Preserve District” as the respondent. The Commission has revised the caption to correctly name this party.

<sup>2</sup> Hernandez was also advised that he could contact the Commission to withdraw his oral request. The tracking feature of the U.S. Postal Service shows that Hernandez received notice of the Commission’s March 4, 2014 certified letter on March 12, 2014.

Hernandez has made a knowing and voluntary request to withdraw his complaint which should be granted pursuant to the Commission's Procedural Rules. *See Carter, 2011E020 at \*1.*

For the foregoing reasons, the Commission hereby grants Hernandez's request to withdraw his complaint and orders that complaint 2013E005 be DISMISSED pursuant to a VOLUNTARY WITHDRAWAL.

March 25, 2014

By delegation:

A handwritten signature in black ink, appearing to read 'R. Hakim', is written over a horizontal line.

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