

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

WILLIAM A BURK
Claimant

APPEAL NO: 13A-UI-13731-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

PELLA MACHINE INC
Employer

**OC: 10/20/13
Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's December 5, 2013 determination (reference 01) that held him ineligible to receive benefits as of October 20, 2013, because he was on an approved leave of absence. A hearing was scheduled on January 8, 2014. Prior to the hearing, the claimant's representative contacted the Appeals Section and made a request to withdraw the claimant's appeal. Based on the claimant's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

FINDINGS OF FACT:

The claimant withdrew his appeal from a representative's December 5, 2013 determination (reference 01). The claimant's January 8, 2014 withdrawal request was recorded.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 26.8(1) provides:

- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The claimant's request to withdraw his appeal is approved.

DECISION:

The representative's December 5, 2013 determination (reference 01) is affirmed. The claimant's withdrawal request is approved. This means the claimant remains ineligible to receive benefits as of October 20, 2013.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs