

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KATHLEEN H BRAY
Claimant

APPEAL NO. 06A-UI-10648-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NEXTEL PARTNERS OPERATING CORP
NEXTEL
Employer

OC: 09/24/06 R: 02
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Kathleen Bray filed a timely appeal from the October 25, 2006, reference 06, decision that denied benefits for 19 weeks ending February 3, 2007 due to the claimant's receipt of severance pay. A hearing was scheduled for November 15, 2006. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The Agency representative's October 25, 2006, reference 06, decision is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/kjw