

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KATHY L MAPP
Claimant

APPEAL NO. 11A-UI-04714-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

THOMAS L CARDELLA & ASSOCIATES
Employer

**OC: 03/13/11
Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's April 7, 2011 determination (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because she had been discharged for disqualifying reasons. A hearing was scheduled for May 5, 2011. The claimant appeared for the hearing. Lynne Zinnel and Junoa Thomas appeared on the employer's behalf. During the opening remarks, the claimant withdrew her appeal in this matter. 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.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

FINDINGS OF FACT:

The claimant withdrew her appeal from a representative's April 7, 2011 determination. The claimant's May 5 withdrawal request was tape-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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 her appeal is approved.

DECISION:

The representative's April 7, 2011 determination (reference 01) is affirmed. The claimant's request to withdraw her appeal is approved. This means the claimant remains disqualified from receiving benefits as of March 13, 2011. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw