

IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI

BRANDON E BUTLER  
2210 LINDEN  
IOWA FALLS IA 50126

ELECTROLUX HOME PRODUCTS INC  
FRIGIDAIRE  
c/o SHEAKLEY  
PO BOX 1160  
COLUMBUS OH 43216-1160

Appeal Number: 04A-UI-04155-DWT  
OC 07/20/03 R 02  
Claimant: Appellant (6)

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal are based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Brandon E. Butler (claimant) appealed a representative's April 7, 2004 decision (reference 02) that concluded he was not qualified to receive unemployment insurance benefits, and the account of Electrolux Home Products, Inc. (employer) would not be charged because the claimant voluntarily quit his employment for reasons that do not qualify him to receive unemployment insurance benefits. A hearing was scheduled for May 6, 2004. The claimant appeared for the hearing. Casey Sciorrotta and Vyron Neilson appeared on the employer's behalf. Before any testimony was presented, the claimant indicated he wanted to withdraw his 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:

During the start of a May 6, 2004 hearing, the claimant indicated he wanted to withdraw his appeal. The claimant's 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 his appeal is approved.

DECISION:

The representative's April 7, 2004 decision (reference 02) is affirmed. The claimant's request to withdraw his appeal is approved. This means the claimant is disqualified from receiving unemployment insurance benefits as of March 21, 2004. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

dlw/b