

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**STEVENS, GARY, D**  
Claimant

**APPEAL NO. 13A-UI-01822-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**QPS EMPLOYMENT GROUP INC**  
Employer

**OC: 12/09/12**  
**Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the January 29, 2013, reference 04, decision that allowed benefits to the claimant in connection with a December 28, 2012 separation, provided he was otherwise eligible, and that held the employer's account could be charged for benefits. A hearing was scheduled for March 12, 2013. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The employer is the appellant. The appeal hearing is set for March 12, 2013. On March 11, 2013, the employer faxed a written request to withdraw the appeal. The request to withdraw the appeal was filed prior to the presentation of evidence or entry of a decision in connection with the appeal.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 appealing party's request to withdraw the appeal should be approved.

**DECISION:**

The employer's request to withdraw the appeal is approved. The Agency representative's January 29, 2013, reference 04, decision that allowed benefits, provided the claimant was otherwise eligible, and that held the employer's account could be charged shall remain effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/css