

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

HUCK LOVAN
Claimant

APPEAL NO. 12A-UI-10229-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

METAL WORKS INC
Employer

OC: 07/15/12
Claimant: Appellant (6)

Section 96.5-2-a – Discharge for Misconduct
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed an appeal from the August 13, 2012, reference 01, decision that held that the claimant was ineligible for unemployment insurance benefits. A telephone hearing was scheduled for September 18, 2012.

ISSUE:

Whether the appellant should be permitted to withdraw his appeal.

FINDINGS OF FACT:

The administrative law judge, having reviewed the record, makes the following findings of fact: On September 18, 2012, the claimant made an oral request to withdraw his appeal filed on August 23, 2012. The request was recorded by digital audiotape.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated August 13, 2012, reference 01, shall stand and remain in full force and effect.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/kjw