

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**SYLVIA Y BAGNE**  
Claimant

**APPEAL NO: 14A-UI-13305-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**EXPRESS SERVICES INC**  
Employer

**OC: 11/23/14**  
**Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer appealed a representative's December 22, 2014 (reference 02) determination that held the claimant qualified to receive benefits and the employer's account subject to charge because her employment separation was for non-disqualifying reasons. A hearing was scheduled on January 22, 2015. The claimant did not respond to the hearing notice or participate at the hearing. Brandy Whittenbaugh appeared on the employer's behalf. Before the hearing began, the employer withdrew the appeal in this matter. Based on the employer'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:**

The employer withdrew its appeal from a representative's December 22, 2014 (reference 02) determination. The employer's January 22, 2015 withdrawal request was 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 recorded by the presiding officer.

The employer's request to withdraw this appeal is approved.

**DECISION:**

The representative's December 22, 2014 (reference 02) determination is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits as of November 23, 2014. The employer's account may be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/can