IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

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

CARMEN MARING
Claimant

EXPRESS SERVICES INC
Employer

APPEAL NO: 13A-UI-00038-BT

ADMINISTRATIVE LAW JUDGE DECISION

OC: 11/11/12
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Express Services, Inc. (employer) appealed an unemployment insurance decision dated December 24, 2012, reference 01, which held that Carmen Maring (claimant) was eligible for unemployment insurance benefits. A hearing was scheduled for February 4, 2013. Prior to the hearing being held, the appellant requested the appeal be withdrawn. Based on the evidence and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

The issue is whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted verbally and it 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 (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 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 unemployment insurance decision dated December 24, 2012, reference 01, remains in effect. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

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Susan D. Ackerman
Administrative Law Judge

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Decision Dated and Mailed

sda/tll