

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ROBERT H ESTABROOK**  
Claimant

**APPEAL NO: 14A-UI-09817-SWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REMEDY INTELLIGENT STAFFING INC**  
Employer

**OC: 03/23/14**  
**Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed from an unemployment insurance decision dated September 15, 2014, reference 03, that concluded the claimant was available for work effective August 17, 2014. A hearing was scheduled for October 9, 2014. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

A request has been made by the appealing party to withdraw the appeal. The request was submitted orally and was recorded. The reason the appeal was withdrawn is that the basis of the appeal was a separation that took place August 31, 2014. That separation was addressed in a decision issued on October 6, 2014, that concluded the claimant was disqualified effective September 2, 2014, for failing to contact the employer within three days of completing his assignment. The employer's account was determined exempt from charge.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 September 15, 2014, reference 03, is affirmed. The decision that the claimant was available for work effective August 17, 2014, remains in effect. The issue the employer appealed was decided on October 6, 2014, in favor of the employer.

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Steven A. Wise  
Administrative Law Judge

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Decision Dated and Mailed

saw/css