

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MEHDI SABET
Claimant

APPEAL NO. 10A-UI-16288-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 10/03/10
Claimant: Respondent (6)

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

STATEMENT OF THE CASE:

The employer sent a letter to the Appeals Bureau that was construed as being an appeal from an unemployment insurance decision dated November 17, 2010, reference 03, that allowed benefits to the claimant. The employer followed up the letter with a phone call that clarified that an appeal was not intended.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: The employer, the appellant in this matter, has requested that the appeal be withdrawn.

REASONING AND CONCLUSIONS OF LAW:

A rule found at 871 IAC 26.8(1) allows the administrative law judge to grant an appellant's request for the withdrawal of its appeal. A review of all matters of record persuades the administrative law judge that it is appropriate to allow the withdrawal of this appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

DECISION:

The unemployment insurance decision dated November 17, 2010, reference 03, remains in effect. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw