

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JON W GNAGY
Claimant

APPEAL NO. 10A-UI-17138-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TEMPORARY RESOURCES INC
Employer

OC: 08/30/09
Claimant: Appellant (6)

871 IAC 24.27 – Quit from Part-Time Employment
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

Jon W. Gnagy filed a timely appeal from an unemployment insurance decision dated December 8, 2010, reference 02. Before an evidentiary hearing could be scheduled, however, the claimant requested that the appeal be withdrawn.

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the administrative law judge finds: The claimant, the appellant in this matter, has requested that the appeal be withdrawn.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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 December 8, 2010, reference 02, remains in effect. The claimant is entitled to receive unemployment insurance benefits based on base period wages other than those from Temporary Resources, Inc. That employer shall not be charged with benefits payable to the claimant.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw