

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHARLES F GAUNT
Claimant

APPEAL NO. 13A-UI-10296-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CRST VAN EXPEDITED INC
Employer

OC: 07/28/13
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the August 26, 2013, reference 02, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits. A hearing was scheduled for October 3, 2013. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant. The appeal hearing is set for October 3, 2013. On September 17, 2013, the employer's representative of record, faxed a request to withdraw the appeal. The request was submitted prior to entry of a decision in connection with the appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The employer's request to withdraw the appeal is approved. The agency representative's August 26, 2013, reference 02, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/css