

IOWA WORKFORCE DEVELOPMENT
Unemployment Insurance Appeals Section
1000 East Grand—Des Moines, Iowa 50319
DECISION OF THE ADMINISTRATIVE LAW JUDGE
68-0157 (7-97) – 3091078 - EI

WILLIAM M DEEBLE
421 ROLLINGSGATE CT C-1
BENSALEM PA 19020-7716

SEDONA INC
612 VALLEY VIEW DR
MOLINE IL 61265

Appeal Number: 04A-UI-09120-DWT
OC: 07/11/04 R: 12
Claimant: Appellant (6)

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal are based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

(Decision Dated & Mailed)

871 IAC26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The Appeals Section considered William M. Deeble (claimant) to have appealed a representative's August 17, 2004 decision (reference 03) that concluded the wages he received from December 31, 2003 through March 31, 2004 from Sedona, Inc. (employer) were not reportable to the state of Iowa. Hearing notices were mailed to the parties' last-known addresses of record. A telephone hearing was held on September 8, 2004. The claimant participated in the hearing. Colleen McGuinty appeared on the employer's behalf. The claimant made a request to withdraw this appeal. Based on the claimant's withdrawal request, the administrative record and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

FINDINGS OF FACT:

The claimant does not dispute that the wages he received from the employer from December 31, 2003 through March 31, 2004 should be reported to Pennsylvania and not Iowa. The claimant requested that the appeal from the reference 03 be withdrawn. The claimant's request 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 claimant's request to withdraw this appeal is approved.

DECISION:

The representative's July 11, 2004 decision (reference 03) is affirmed. The claimant's request to withdraw the appeal is approved. This means wages the claimant earned December 31, 2003 through March 31, 2004, from the employer should not be reported in Iowa.

dlw/pjs