

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TIFFANY A DIXON**  
Claimant

**D OF C FOODS INC**  
Employer

**APPEAL NO: 12A-UI-08069-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/03/12**  
**Claimant: Appellant (6)**

871 IAC 26.8(5) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant appealed a department decision dated June 18, 2012, reference 02, that held the department decision she voluntarily quit part-time work without good cause attributable to her employer on December 15, 2011 remains in force and effect. A telephone hearing was scheduled for July 31, 2012. The claimant and Karla Kammerer-Shedd, HR Generalist, for the employer was available to participate.

**ISSUE:**

Whether claimant's request to withdraw her appeal should be approved.

**FINDINGS OF FACT:**

The administrative law judge having considered the evidence in the record, finds: UI Appeals considered claimant's appeal from employment separation at Wal-Mart on May 12, 2012 to include an appeal in this matter. The department decision in this matter is favorable to claimant. Her benefit eligibility is based on her employment separation from Wal-Mart and the wages she earned from Durham D & M LLC for the period from 2011 through 2012. Claimant's request to withdraw her appeal is 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 administrative law judge concludes claimant's request to withdraw her appeal is approved.

The claimant did not intend to appeal her employment separation from the employer in this matter and the department issued a favorable decision to her on this issue.

**DECISION:**

The department decision dated June 18, 2012, reference 02, is affirmed. The department decision that allows claimant benefits by reason of her employment December 15, 2011 separation remains in force and effect.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

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