

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SCOTT D STEUHM
Claimant

APPEAL NO. 13A-UI-03080-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JELD-WEN INC
Employer

OC: 01/20/13
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the February 28, 2013, reference 03, decision that allowed benefits. A hearing was scheduled for April 11, 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 Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.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 April 11, 2013. On April 2, 2013, the Appeals Section received the employer's faxed request to withdraw the appeal. The request was submitted prior to the presentation of evidence or 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 February 28, 2013, reference 03, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged shall remain effect. The hearing previously set for April 11, 2013 is cancelled.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs