

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
<b>TRACY G NOTT</b> Claimant	<b>APPEAL NO. 07A-UI-07523-DWT</b>
<b>WAL-MART STORES INC</b> Employer	<b>ADMINISTRATIVE LAW JUDGE DECISION</b>
	<b>OC: 07/01/07 R: 03</b> <b>Claimant: Respondent (6)</b>

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Wal-Mart Stores, Inc. (employer) appealed a representative's July 25, 2007 decision (reference 01) that concluded Tracy G. Nott (claimant) was qualified to receive unemployment insurance benefits, and the employer's account was subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on August 21, 2007. Prior to the hearing, the employer's representative withdrew the employer's appeal in this matter. Based on the employer'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 employer withdrew its appeal from the representative's July 25, 2007 decision. The employer's representative faxed a written withdrawal request on August 20, 2007.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The representative's July 25, 2007 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of July 1, 2007, provided he meets all other eligibility requirements. The employer's account may be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css