

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DOUG L DAVIS
Claimant

APPEAL NO. 14A-UI-08505-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NELLIS MANAGEMENT COMPANY
Employer

OC: 07/13/14
Claimant: Respondent (6)

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the August 6, 2014, reference 02, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits. A hearing was scheduled for September 5, 2014. Prior to the hearing being held, the employer/appellant requested that the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The hearing is set for September 5, 2014. On August 27, 2014 the employer's representative of record faxed to the Appeals Section a request to withdraw the appeal. A decision has not yet been entered on the merits of the appeal.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 Claims Deputy's August 6, 2014, reference 02, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged for benefits remains in effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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