

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RICHARD A LAGRANGE
Claimant

APPEAL NO. 11A-UI-08854-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

BUTSCHI REAL ESTATE CO
Employer

OC: 05/15/11
Claimant: Appellant (6)

Section 96.4-3 – Able and Available
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed an appeal from the July 1, 2011, reference 01, decision that held that the claimant was ineligible for unemployment insurance benefits. A telephone hearing was scheduled for July 27, 2011.

Prior to the start of the hearing, the claimant asked orally that his appeal be withdrawn.

ISSUE:

Whether the appellant should be permitted to withdraw his appeal.

FINDINGS OF FACT:

The administrative law judge, having reviewed the record, makes the following findings of fact: On July 27 2011, the claimant made an oral request to withdraw his appeal filed on July 1, 2011. The request was recorded by digital audiotape.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated July 1, 2011, reference 01, shall stand and remain in full force and effect.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/kjw