

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SAVORY L JOSHUA
Claimant

APPEAL NO. 21A-UI-16617-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

AMAZON.COM SERVICES INC
Employer

**OC: 03/28/21
Claimant: Respondent (6)**

Iowa Code Section 96.5(2)(a) - Discharge
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed a July 29, 2021 late appeal from the July 14, 2021, reference 04, decision that allowed benefits to the claimant, provided the claimant was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant was discharged on April 9, 2021 for no disqualifying reason. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the appellant's request to withdraw the appeal be granted.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing is set for September 20, 2021. On September 2, 2021, the employer, through Corporate Cost Control, submitted a written request to withdraw the appeal. The request was submitted before the administrative law judge entered a decision in connection with 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The administrative law judge concludes that the employer's request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The July 14, 2021, reference 04, decision that allowed benefits to the claimant, provided the claimant was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant was discharged on April 9, 2021 for no disqualifying reason, remains in effect. The hearing set for September 20, 2021 is cancelled.



James E. Timberland
Administrative Law Judge

September 08, 2021
Decision Dated and Mailed

jet/mn