

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEPHEN M BRAUER
Claimant

APPEAL NO. 07A-UI-02377-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**ELECTRONICS BOUTIQUE OF AMERICA
ELECTRONICS BOUTIQUE**
Employer

**OC: 01/14/07 R: 04
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Electronics Boutique of America filed a timely appeal from the February 27, 2007, reference 03, decision that allowed benefits and concluded the employer's protest was untimely. A hearing was scheduled for April 12, 2007. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing on March 30, 2007, by means of a fax from TALX UC eXpress on behalf of the employer.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

The employer's address of record shall remain as previously established unless and until the employer takes appropriate steps to contact the Iowa Workforce Development Tax Bureau and change the employer's address of record. A courtesy copy of the present decision will be sent to TALX UC eXpress.

DECISION:

The Agency representative's February 27, 2007, reference 03, decision is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the

representative shall stand and remain in full force and effect. The employer's address of record shall remain as previously established unless and until the employer takes appropriate steps to contact the Iowa Workforce Development Tax Bureau and change the employer's address of record. A courtesy copy of the present decision will be sent to TALX UC eXpress.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/css