

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANDERSON, JOHN, A**  
Claimant

**APPEAL NO. 12A-UI-04779-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS ENTERPRISES INC**  
Employer

**OC: 11/20/11  
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the April 17, 2012, reference 01, decision that allowed benefits. A hearing was scheduled for May 15, 2012. Prior to the hearing being held, the employer/appellant requested that the appeal be withdrawn.

**FINDINGS OF FACT:**

The employer has requested to withdraw its appeal. The request has been submitted in writing by fax on May 3, 2012. The request is dated April 30, 2012. Hearing on the appeal has not yet occurred and a decision on the appeal has not yet entered.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The employer's request to withdraw the appeal is approved. The Agency representative's April 17, 2012, reference 01, decision that allowed benefits shall remain effect.

---

James E. Timberland  
Administrative Law Judge

---

Decision Dated and Mailed

jet/css