

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
<b>TRENT W ELENZ</b> Claimant	<b>APPEAL NO. 07A-UI-00028-DWT</b>
<b>APAC CUSTOMER SVCS OF IOWA</b> Employer	<b>ADMINISTRATIVE LAW JUDGE DECISION</b>
	<b>OC: 12/03/06 R: 04</b> <b>Claimant: Respondent (6)</b>

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

APAC Customer Services of Iowa (employer) appealed a representative's December 20, 2006 decision (reference 01) that concluded Trent W. Elenz (claimant) was qualified to receive unemployment insurance benefits and the employer's account was subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on January 18, 2007. Prior to the scheduled hearing, the employer made a request to withdraw its appeal. Based on the employer's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**FINDINGS OF FACT:**

On January 17, 2007, the employer's unemployment insurance representative, TALX, faxed a written request to withdraw the employer's appeal in this matter. The Appeals Section received the written withdrawal request on January 17, 2007.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The representative's December 20, 2006 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment

insurance benefits, provided he meets all other eligibility requirements. The employer's account may be charged for benefits the claimant receives.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css