IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

DESIREE J MARTIN
Claimant

RANDSTAD GENERAL PARTNER (US LLC)
RANDSTAD INHOUSE SERVICES LP
Employer

APPEAL NO. 07A-UI-06206-JTT

ADMINISTRATIVE LAW JUDGE
DECISION

OC: 04/29/07   R: 02
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Desiree Martin filed a timely appeal from the June 18, 2007, reference 02, decision that denied her request to have benefits redetermined as based on a lay-off due to a business closing. A telephone hearing was scheduled for July 9, 2007 and the parties were properly notified. Claimant appeared. Employer did not respond to the hearing notice. Prior to the presentation of evidence and prior to the entry of a decision on the appeal, the claimant requested to withdraw the appeal.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request has been submitted by means of a recorded telephone call at the scheduled time of the hearing. The request was made prior to the presentation of evidence and prior to entry of a decision on the appeal.

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 (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 Agency representative's June 18, 2007, reference 02, 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.

_____
James E. Timberland
Administrative Law Judge

_____
Decision Dated and Mailed

jet/pjs