

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DAVID J BORZO
Claimant

APPEAL NO. 09A-UI-01490-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ARAMARK CORPORATION
Employer

OC: 01/04/09 R: 02
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed a timely appeal from the January 23, 2009, reference 01, decision that allowed benefits. A hearing was scheduled for February 18, 2009. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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 by means of a fax from TALX UC eXpress Unemployment Hearing Consultant Robert Kincaid on February 12, 2009.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal is approved. The Agency representative's January 23, 2009, reference 01 decision shall stand and remain in full force and effect. The hearing previously set for February 18, 2009 at 10:00 a.m. is canceled.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

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