

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MICHAEL D WISE
Claimant

TWIN CITY TANNING WATERLOO LLC
Employer

APPEAL 18A-UI-05258-LJ-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 03/25/18
Claimant: Appellant (6)

Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated April 26, 2018 (reference 01). A telephonic hearing was scheduled for 9:00 a.m. on Thursday, May 24, 2018. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted orally. The administrative law judge received claimant's oral request to withdraw the appeal on May 24, 2018, prior to commencing sworn testimony for the hearing.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 decision of the representative dated April 26, 2018, (reference 01) 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.

Elizabeth A. Johnson
Administrative Law Judge

Decision Dated and Mailed

lj/scn