

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DUSTIN L RIDEN**  
Claimant

**APPEAL NO. 06A-UI-09470-D**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ROCKWELL COLLINS INC**  
Employer

**OC: 08/20/06 R: 03  
Claimant: Appellant (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed from a representative's decision dated September 14, 2006 (reference 01). an in-person hearing was scheduled for November 16, 2006. After the claimant, his representatives, and his subpoenaed witness appeared at the time and place for the hearing, the administrative law judge discovered that earlier in the week the employer had withdrawn its appeal, but that through no fault of the employer or its representative that withdrawal had not been delivered to the administrative law judge at the in-person hearing site. Based on a review of the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Should the appellant's request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

A request has been made on behalf of Rockwell Collins, Inc. (employer), the appealing party, to withdraw 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of the representative dated September 14, 2006 (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. The claimant is entitled to receive unemployment insurance benefits, provided he is otherwise eligible.

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Lynette A. F. Donner  
Administrative Law Judge

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Decision Dated and Mailed

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