

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHERYL A KILBOURN
Claimant

APPEAL NO: 15A-UI-02513-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DILLARD'S INC
Employer

**OC: 01/04/15
Claimant: Appellant (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's February 18, 2015 (reference 03) determination that held her ineligible to receive benefits for the week ending January 10, 2015 because she received vacation pay that must be attributed to this week. A hearing was scheduled on March 27, 2015. On March 5, 2015 the claimant faxed the Appeals Bureau her request to withdraw her appeal in this matter. Based on the claimant'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:

The claimant withdrew her appeal from a representative's February 18, 2015 (reference 03) determination. The claimant faxed her written withdrawal request on March 5, 2015.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 recorded by the presiding officer.

The claimant's request to withdraw her appeal is approved.

DECISION:

The representative's February 18, 2015 (reference 03) determination is affirmed. The claimant's withdrawal request is approved. This means the claimant remains ineligible to receive benefits for the week ending January 10 because vacation pay she received must be attributed to this week.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/can