

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

RUBY L CRISP
Claimant

APPEAL NO. 12A-UI-05271-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DOLGENCORP LLC
DOLLAR GENERAL
Employer

OC: 04/08/12
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the April 26, 2012, reference 01, decision that allowed benefits and that concluded the employer's account could be charged. A hearing was scheduled for May 31, 2012. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

FINDINGS OF FACT:

The employer has requested to withdraw its appeal. The request has been submitted in writing by fax on May 14, 2012. The request was made prior to the appeal hearing and prior to entry of a decision concerning 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 appealing party's request to withdraw the appeal should be approved.

DECISION:

The employer's request to withdraw the appeal is approved. The Agency representative's April 26, 2012, reference 01, decision that allowed benefits and that concluded the employer's account could be charged shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/kjw