

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**RANDY A DETERMAN**  
Claimant

**APPEAL 20A-UI-12215-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PHOENIX CLOSURES INC**  
Employer

**OC: 06/28/20  
Claimant: Respondent (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer appealed the unemployment insurance decision dated September 25, 2020, (reference 01) that allowed the claimant benefits. A hearing was scheduled for December 2, 2020, at 10:00 a.m. Prior to the hearing be held, the employer requested to withdraw the appeal.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: Employer has requested to withdraw the appeal of the decision that allows claimant benefits. Employer submitted the request in writing.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. 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 and concludes that employer's request to withdraw the appeal should be approved.

**DECISION:**

Employer's request to withdraw the appeal of the unemployment insurance decision dated September 25, 2020, (reference 01) is approved. The decision allowing claimant benefits shall stand and remain in full force and effect.



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Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

December 8, 2020  
Decision Dated and Mailed

cal/scn