

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**EDDY DEMOTA**  
Claimant

**APPEAL NO. 09A-UI-14458-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FBG SERVICE CORPORATION**  
Employer

**Original Claim: 01/04/09  
Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the September 18, 2009, reference 07, decision that awarded the claimant unemployment insurance benefits. A telephone hearing was scheduled for October 22, 2009. Prior to the hearing being held, the employer requested in writing that the appeal be withdrawn.

**ISSUE:**

Whether the appellant should be permitted to withdraw its appeal.

**FINDINGS OF FACT:**

The administrative law judge, having reviewed the record, makes the following findings of fact:

On October 21, 2009, the employer filed a written request to withdraw its appeal filed on September 28, 2009.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal should be approved

**DECISION:**

The request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated September 18, 2009, reference 07, shall stand and remain in full force and effect.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/kjw