

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JOANN D DAVIS
Claimant

APPEAL NO. 07A-UI-10662-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

WEST LIBERTY FOODS LLC
Employer

OC: 10/28/07 R: 04
Claimant: Appellant (6)

Section 871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated November 19, 2007, reference 01. A hearing was scheduled for December 4, 2007. Prior to the hearing being held, the claimant requested the appeal be withdrawn based on the fact that a redetermination had been issued that granted her unemployment insurance benefits.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request was submitted in writing. On November 29, 2007, the Agency issued an amended decision (reference 02) awarding her benefits based on the reasons for her separation from work.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 unemployment insurance decision dated November 19, 2007, reference 01, has been amended in favor of the claimant eliminating the need for a hearing and the claimant has withdrawn her appeal.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css