

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KATHY J TIMMERMAN
Claimant

APPEAL NO. 07A-UI-09090-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

HANDICAPPED DEVELOPMENT CENTER
Employer

OC: 08/26/07 R: 04
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Kathy J. Timmerman (claimant) appealed a representative's September 20, 2007 decision (reference 01) that concluded she was not qualified to receive unemployment insurance benefits, and the account of Handicapped Development Center (employer) would not be charged because the claimant had been discharged for disqualifying reasons. A hearing was scheduled on October 9, 2007. Prior to the hearing, the claimant contacted the Appeals Section and made a request to withdraw her appeal. 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.

ISSUE:

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

FINDINGS OF FACT:

The claimant withdrew her appeal from a representative's September 20, 2007 decision. The claimant's October 1, 2007 withdrawal request was tape-recorded.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The representative's September 20, 2007 decision (reference 01) is affirmed. The claimant's October 1 withdrawal request is approved. As of August 26, 2007, the claimant is not qualified to receive unemployment insurance benefits. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw