

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**EDIN RODRIGUEZ**

Claimant

**APPEAL NO. 10A-UI-10332-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CARGILL MEAT SOLUTIONS CORP**

Employer

**OC: 06/20/10**

**Claimant: Respondent (6)**

Iowa Code section 96.6(4) – Previously Adjudicated Issue  
871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the July 13, 2010, reference 01, decision that allowed benefits and that concluded the separation from employment had previously been adjudicated. A hearing was scheduled for September 7, 2010. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.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:**

A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 July 13, 2010, reference 01, decision that allowed benefits and that concluded the separation from employment had previously been adjudicated shall remain effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/kjw