

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CHET A SCHUMACHER**  
Claimant

**APPEAL NO: 09A-UI-04094-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CAMBRIDGE TEMPOSITIONS INC**  
Employer

**OC: 12/28/08**  
**Claimant: Appellant ( 6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Chet A. Schumacher (claimant) appealed a representative's January 23, 2009 decision (reference 02) that concluded he was not qualified to receive benefits and the account of Cambridge Tempositions, Inc. (employer) would not be charged because the claimant had been discharged for disqualifying reasons. A hearing was scheduled on April 9, 2009.

On Friday, March 20, 2009, the claimant contacted the Appeals Section about the necessity of having the hearing on April 9, 2009. On March 23, the administrative law talked to the claimant's representative, Duane Schumacher. As the result of an amended overpayment amount (reference 04) that is the issue of appeal 09A-UI-04095-DWT, the claimant's representative withdrew the claimant's 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.

**FINDINGS OF FACT:**

The claimant withdrew his appeal from a representative's January 23, 2009 decision. The claimant's 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 his appeal is approved.

**DECISION:**

The representative's January 23, 2009 decision (reference 02) is affirmed. The claimant's withdrawal request is approved. As of December 28, 2008, the claimant remains disqualified from receiving benefits. The employer's account will not be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css