

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

GRETCHEN ROSE
Claimant

EXPRESS SERVICES INC
Employer

APPEAL 22A-UI-02649-DZ-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/16/21
Claimant: Respondent (6)

Iowa Code § 96.6(2) – Timeliness of Protest
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Express Services Inc, the employer/appellant, filed an appeal from the January 7, 2022 (reference 02) unemployment insurance decision that allowed benefits because the employer did not file its protest on time. The parties were properly notified of the hearing. A telephone hearing is scheduled for February 22, 2022 at 8:00 a.m. Prior to the hearing date, the employer submitted a written request to withdraw the appeal.

ISSUE:

Should the employer's request to withdraw its appeal be granted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer requested to withdraw its appeal. The request was submitted in writing and sent via fax on February 17, 2022. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on February 17, 2022.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the employer's request to withdraw its appeal should be approved.

DECISION:

The employer's request to withdraw its appeal of the January 7, 2022 (reference 02) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for February 22, 2022 at 8:00 a.m. is cancelled.



Daniel Zeno
Administrative Law Judge
Iowa Workforce Development
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

March 10, 2022
Decision Dated and Mailed

dz/mh