

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LILY HOANG
Claimant

APPEAL NO: 10A-UI-01850-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CROW VALLEY GOLF CLUB
Employer

OC: 12/13/09
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's January 12, 2010 decision (reference 01) that held her ineligible to receive benefits December 13, 2009, through January 9, 2010, because she was not considered unemployed during these dates. A hearing was scheduled on March 17, 2010. The claimant responded to the hearing notice, but was not available for the scheduled 9:00 a.m. hearing. Richard Bowerman appeared on the employer's behalf.

After the employer had been excused and the hearing was closed, the claimant contacted the Appeals Section. After learning the only period of time she was held ineligible was December 13, 2009, through January 9, 2010, the claimant withdrew her appeal because she did not dispute this period of ineligibility. Based on 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 her appeal from the representative's January 12, 2010 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 her appeal is approved.

DECISION:

The representative's January 12, 2010 decision (reference 01) is affirmed. The claimant's withdrawal request is approved. The claimant remains ineligible to receive benefits from December 13, 2009, through January 9, 2010. This means as of January 10, 2010, the claimant is eligible to receive benefits, provided she meets all other eligibility requirements.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs