

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERT HUDSON

Claimant

APPEAL NO. 12A-UI-03441-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**USA STAFFING INC
LABOR WORLD OF IOWA**
Employer

**OC: 02/12/12
Claimant: Respondent (6)**

871 IAC 24.26(19) – Fulfillment of Temporary Employment Contract
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the March 26, 2012, reference 02, decision that allowed benefits in connection with a February 3, 2012 separation. A hearing was scheduled for April 19, 2012. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.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:

The employer is the appealing party and has requested to withdraw its appeal. The request to withdraw the appeal was submitted by fax by Unemployment Insurance Services/Cost Control Management on April 6, 2012. The hearing had not yet occurred and a decision had not yet been entered at the time the employer's written request to withdraw the appeal was received.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The employer's request to withdraw the appeal is approved. The Agency representative's March 26, 2012, reference 02, decision that allowed benefits in connection with a February 3, 2012 separation shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/kjw