

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DALE D KINER
Claimant

APPEAL NO: 12A-UI-01071-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

DOHERTY STAFFING SOLUTIONS
Employer

OC: 12/25/11
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's January 18, 2012 determination (reference 03) that held the claimant eligible to receive benefits and the employer's account was potentially subject to charge because the employer had not filed a timely protest. A hearing was scheduled on February 22, 2012. On February 15, the employer made a request to withdraw its appeal. Based on the employer'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 employer withdrew its appeal from the representative's January 18, 2012 determination. The employer's withdrawal request was faxed on February 15, 2012.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The representative's January 18, 2012 determination (reference 03) is affirmed. The claimant remains qualified to receive benefits as of December 25, 2011. The employer's account may be subject to charge.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs