

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
Division of Administrative Hearings  
Lucas State Office Building  
Des Moines, Iowa 50319

**Appeal Number: 06-IWDUI-113**  
**OC 10/30/05**  
**Claimant: Appellant (6)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> Floor Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**JOEL M LIGHTCAP**  
**1985 ALTA VISTA STREET**  
**DUBUQUE IA 52001-4337**

STATE CLEARLY

**THE GANNON CENTER**  
**ATTN: ACCOUNTING DEPARTMENT**  
**200 MERCY DRIVE STE #200**  
**DUBUQUE IA 52001**

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

**IOWA WORKFORCE DEVELOPMENT**  
**CHARLES RUMMERY**  
**590 IOWA STREET**  
**DUBUQUE IA 52004**

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

KAREN PFAB, IWD  
DAN ANDERSON, IWD

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(Administrative Law Judge)

**May 19, 2006**  
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(Decision Dated & Mailed)

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871IAC26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's decision dated April 20, 2006, reference 03 that held he was denied business closing benefits.

A telephone hearing was scheduled for May 16, 2006. Prior to the hearing being held, the claimant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in orally which has been 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 administrative law judge 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 administrative law judge.

The administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of Iowa Workforce Development dated April 20, 2006, reference 03, is **AFFIRMED**. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. Business closing benefits are denied.

rls