

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARIA D LEPE VASQUEZ
Claimant

APPEAL NO. 10A-UI-10373-NT

**ADMINISTRATIVE LAW JUDGE
DECISION**

JOHN MORRELL & CO
Employer

**Original Claim: 06/27/10
Claimant: Appellant (6)**

Section 96.4-3 – Able and Available for Work
871 IAC 26.8(1) – Withdrawal of Appeals

STATEMENT OF THE CASE:

The claimant filed a timely appeal from the July 14, 2010, reference 02, decision that denied benefits. A telephone hearing was scheduled for September 8, 2010. Prior to the hearing being held, the appellant requested that the appeal be withdrawn.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal filed July 21, 2010.

FINDINGS OF FACT:

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

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The Agency representative's decision dated July 14, 2010, reference 02, 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 effect.

Terence P. Nice
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw