

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**MELISSA R BERZETT**  
Claimant

**APPEAL NO. 14A-UI-10254-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS FARGO BANK NA**  
Employer

**OC: 08/31/14  
Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Wells Fargo Bank, NA (employer) appealed an unemployment insurance decision dated September 25, 2014 (reference 02) which held that Melissa Berzett (claimant) was eligible for unemployment insurance benefits. A hearing was scheduled for October 23, 2014. Prior to the hearing being held, the appellant submitted notice it would not be participating in the appeal hearing.

**ISSUE:**

The issue is whether the request to withdraw the appeal should be granted.

**FINDINGS OF FACT:**

The administrative law judge, having reviewed and considered all of the evidence in the record, finds that: Notice has been submitted by the appealing party that it would not be participating in the hearing. The notice was in writing and is considered a request to withdraw its appeal.

**REASONING AND CONCLUSIONS OF LAW:**

An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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. 871 IAC 26.8(1)

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 unemployment insurance decision dated September 25, 2014 (reference 02) remains in effect. 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.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

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