

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEREK IHDE
Claimant

APPEAL NO. 15A-UI-09130-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CROP PRODUCTION SERVICES INC
Employer

OC: 06/28/15
Claimant: Respondent (6)

Iowa Code Section 96.5(2)(a) - Discharge
871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the August 3, 2015, reference 04, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on an Agency conclusion that the claimant had been discharged on June 26, 2015 for no disqualifying reason. A hearing was scheduled for September 2, 2015. Prior to the hearing being held, the employer/ appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing is set for September 2, 2015. On August 27, 2015, the employer's representative of record, Employers Unity, faxed to the Appeals Section a request to withdraw the employer's appeal. The request was submitted before a decision had been entered in connection with the appeal.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 August 3, 2015, reference 04, decision that allowed benefits to the claimant, provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the June 26, 2015 discharge, shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs