

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SHEILA K BORGER
Claimant

APPEAL NO: 13A-UI-04079-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

OC: 03/03/13
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's April 1, 2013 determination (reference 02) that held the claimant qualified to receive benefits because she had been laid off from work on March 7, 2013. A hearing was scheduled on May 8, 2013. On May 1, 2013, the employer faxed a withdrawal request to the Appeals Section. 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 an appeal from a representative's April 1, 2013 determination (reference 02). The employer faxed a written withdrawal request to the Appeals Section on May 1, 2013.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The representative's April 1, 2013 determination (reference 02) is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits as of March 3, 2013.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css