

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARIVEL D GOMEZ-MEDELLIN
Claimant

APPEAL NO: 14A-UI-03393-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SCHENKER LOGISTICS INC
Employer

OC: 02/09/14
Claimant: Respondent (6)

Iowa Admin. Code r. 871-26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's March 17, 2014 determination (reference 02) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on April 14, 2014. The Appeals Bureau received a fax on April 11 from the employer's representative stating the employer wanted to withdraw its appeal in this matter. 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 the appeal from a representative's March 17, 2014 determination (reference 02). The employer's representative faxed a written withdrawal request on April 11, 2014.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

The employer's request to withdraw the appeal in this matter is approved.

DECISION:

The representative's March 17, 2014 determination (reference 01) is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits, provided he meets all other eligibility requirements. The employer's account may be charged for benefits paid to the claimant.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css