

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

DEBRA A PARSONS
Claimant

APPEAL NO. 21A-UI-08878-JT-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

AMAZON COM SERVICES INC
Employer

**OC: 02/07/21
Claimant: Respondent (6)**

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

STATEMENT OF THE CASE:

The employer filed an timely appeal from the March 16, 2021, reference 01, decision that allowed benefits to the claimant, provided she was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant was discharged on February 5, 2021 for no disqualifying reason. A hearing was scheduled for June 14, 2021. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the appellant's request to withdraw the appeal be granted.

FINDINGS OF FACT:

The employer is the appellant in this matter. The hearing is set for June 14, 2020. On May 27, 2021, the employer's representative submitted a request to withdraw the appeal. The request was submitted before the administrative law judge entered a decision 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The administrative law judge 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 March 16, 2021, reference 01, decision that allowed benefits to the claimant, provided she was otherwise eligible, and that held the employer's account could be charged for benefits, based on the deputy's conclusion that the claimant was discharged on February 5, 2021 for no disqualifying reason, remains in effect. The hearing set for June 14, 2021 is cancelled.

A rectangular box containing a handwritten signature in cursive script that reads "James E. Timberland".

James E. Timberland
Administrative Law Judge

June 9, 2021
Decision Dated and Mailed

jet/kmj