

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TREVOR M HIXON**  
Claimant

**APPEAL NO. 13A-UI-11941-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WAUKEE COMMUNITY SCHOOL DISTRICT**  
Employer

**OC: 09/29/13**  
**Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Trevor Hixon filed an appeal from the October 21, 2013, reference 01, decision that denied benefits. A hearing was scheduled for November 18, 2013. Prior to the hearing being held, Mr. Hixon, through counsel, requested that the appeal be withdrawn.

**ISSUE:**

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

**FINDINGS OF FACT:**

Claimant, Trevor Hixon, is the appellant in this matter. An appeal hearing was set for Monday, November 18, 2013. On November 12, 2013, Mr. Hixon's attorney, Randall Schueller, faxed to the Appeals Section a written request that the appeal be withdrawn. In the request, Mr. Schueller indicated that Mr. Hixon had decided to dismiss his unemployment insurance appeal claim and that there was no need for a hearing on November 18, 2013. The request to withdraw the appeal was submitted before any decision was entered in connection with the appeal.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 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 claimant's request to withdraw the appeal is approved. The agency representative's October 21, 2013, reference 01, decision that disqualified the claimant for unemployment insurance benefits shall remain effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/css