

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MISTY FRENTRESS
Claimant

APPEAL NO. 14R-UI-01565-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

HY-VEE INC
Employer

OC: 11/10/13
Claimant: Respondent (6)

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the representative's decision dated November 27, 2013, reference 01, which held that the claimant was eligible for unemployment insurance benefits. A telephone hearing was scheduled for March 4, 2014. At the time of the hearing, the employer withdrew its appeal.

ISSUE:

Whether the employer should be permitted to withdraw its appeal.

FINDINGS OF FACT:

The administrative law judge, having reviewed the record, makes the following findings of fact: On March 4, 2014, the employer made an oral request to withdraw its appeal filed on February 12, 2014. The withdrawal was recorded by Clear2there.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated November 27, 2013, reference 01, shall stand and remain in full force and effect.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

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