

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CORY J KURTH**  
Claimant

**APPEAL NO. 14A-UI-02426-VST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**LEMAR INDUSTRIES CORP**  
Employer

**OC: 02/17/13**  
**Claimant: Appellant (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the representative's decision dated February 26, 2014, reference 01, which denied the claimant's claim for business closing benefits. A telephone hearing was scheduled for March 26, 2014. At the time of the hearing, the claimant withdrew his appeal.

**ISSUE:**

Whether the claimant should be permitted to withdraw his appeal.

**FINDINGS OF FACT:**

The administrative law judge, having reviewed the record, makes the following findings of fact: On March 26, 2014, the claimant made an oral request to withdraw his appeal filed on February 28, 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 February 26, 2014, reference 01, shall stand and remain in full force and effect.

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Vicki L. Seeck  
Administrative Law Judge

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Decision Dated and Mailed

vls/pjs