

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CALVIN JONES
Claimant

SEDONA STAFFING INC
Employer

APPEAL 22A-UI-12602-LJ-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 05/16/21
Claimant: Respondent (6)

Iowa Code § 96.6(2) – Timeliness of Protest
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On December 8, 2021, employer Sedona Staffing, Inc., filed an appeal from the November 9, 2021 statement of charges for the third quarter of 2021. A telephonic hearing was scheduled for 9:00 a.m. on Friday, June 10, 2022. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing. The administrative law judge received the employer's written request to withdraw the appeal on June 8, 2022.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(1) provides:

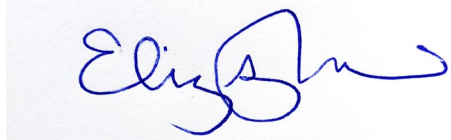
(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding 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 November 9, 2021 statement of charges for the third quarter of 2021 remains in effect. The request of the appealing party to withdraw the appeal is approved, and the statement of charges shall stand and remain in full force and effect.

The hearing scheduled for 9:00 a.m. on Friday, June 10, 2022, is canceled.



Elizabeth A. Johnson
Administrative Law Judge

June 14, 2022
Decision Dated and Mailed

lj/lj