

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**AARON J LACONA**  
Claimant

**APPEAL NO. 14A-UI-04446-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**WELLS FARGO BANK N A**  
Employer

**OC: 12/08/13**  
**Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Aaron Lacona filed an appeal from the April 21, 2014, reference 02, decision that denied a request to have benefits redetermined as being based on a business closing. A hearing was scheduled for May 19, 2014. The employer did not respond to the hearing notice. At the time set for the hearing, Mr. Lacona requested that the appeal be withdrawn.

**FINDINGS OF FACT:**

Aaron Lacona is the appellant in this matter. Mr. Lacona's appeal was in large part a request for clarification of the decision he had received. Mr. Lacona is re-employed. The administrative law judge explained the April 21, 2014, reference 02, decision to Mr. Lacona. The administrative law judge explained that the decision was not a blanket denial of benefits and that the employer had not protested the claim. The administrative law judge explained that the decision pertained to enhanced benefits beyond the normal 26-week and one-third base period wages maximum, which enhanced benefits come into play if the layoff occurred in the context of a business closing at the law defines that term. After the explanation, Mr. Lacona requested to withdraw the appeal. The request to withdraw the appeal occurred before an decision had been entered 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claims deputy's April 21, 2014, reference 02, decision that the claim would not be redetermined as being based on a business closing shall remain effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/css