

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KATIE J KING
Claimant

APPEAL NO. 13A-UI-13185-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

TYSON PET PRODUCTS INC
Employer

OC: 12/09/12
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the November 22, 2013, reference 02, decision that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged, based on an agency conclusion that the claimant had been discharged for no disqualifying reason on November 4, 2013. A hearing was scheduled for December 18, 2013. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

The employer is the appellant in this matter. The appeal hearing is set for December 18, 2013 at 1:00 p.m. On December 17, 2013, the employer faxed a written request to withdraw the appeal. The request was filed before entry of a decision 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 employer's request to withdraw the appeal is approved. The Agency representative's November 22, 2013, reference 02, decision that that allowed benefits to the claimant provided she was otherwise eligible and that held the employer's account could be charged shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/css