

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MARY A MEYNE**  
Claimant

**APPEAL NO. 07A-UI-01263-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**HY-VEE INC**  
Employer

**OC: 12/17/06 R: 01**  
**Claimant: Respondent (6)**

871 IAC26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Hy-Vee, Inc. (employer) appealed a representative's January 30, 2007 decision (reference 04)) that concluded Mary A. Meyne (claimant) was qualified to receive unemployment insurance benefits, and the employer's account subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on February 20, 2007. Prior to the hearing, the employer withdrew its appeal in this matter. Based on the employer's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**FINDINGS OF FACT:**

The employer withdrew its appeal from the representative's January 30, 2007 decision. The employer's written withdrawal request was received by the Appeals Section on February 19, 2007.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The representative's January 30, 2007 decision (reference 04) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment

insurance benefits as of December 17, 2006, provided she meets all other eligibility requirements. The employer is not a base period employer and its account will not be charged during the claimant's current benefit year.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css