

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DENNIS D VARESE
Claimant

APPEAL NO: 08A-UI-01166-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**BRIDGESTONE/FIRESTONE NORTH
AMERICAN TIRE LLC**
Employer

**OC: 01/06/08 R: 02
Claimant: Respondent (6)**

Section 96.5-2-a – Discharge
871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Bridgestone/Firestone North American Tire LLC (employer) appealed a representative's January 23, 2008 decision (reference 01) that concluded Dennis D. Varese (claimant) was qualified to receive unemployment insurance benefits, and the employer's account was subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on February 18, 2008. Prior to the hearing, the employer's representative, TALX, faxed a request to withdraw the employer's appeal. 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 January 23, 2008 decision. The employer's written withdrawal request was faxed to the Appeals Section on February 14, 2008.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 23, 2008 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of January 6, 2008, provided he meets all other eligibility requirements. The employer's account may be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs