

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SERENA S KONRARDY
Claimant

APPEAL NO. 11A-UI-01391-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CITIES INSURANCE GROUP INC
Employer

OC: 01/02/11
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's January 28, 2011 determination (reference 01) that concluded the claimant was qualified to receive benefits and the employer's account was subject to charge because the claimant had been discharged for non-disqualifying reasons. A hearing was scheduled for March 4, 2011. On February 24, the employer faxed a withdrawal request to the Appeals Section. 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.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

FINDINGS OF FACT:

The employer withdrew its appeal from the representative's January 28, 2011 determination. The employer's withdrawal request was faxed to the Appeals Section on February 24, 2011.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 28, 2011 determination (reference 01) is affirmed. The employer's request to withdraw the appeal is approved. Therefore, as of January 2, 2011, the claimant remains qualified to receive benefits, provided she meets all other eligibility requirements. The employer's account is subject to charge.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw