

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

PATRICIA A SNELL
Claimant

APPEAL NO: 08A-UI-10802-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CARE INITIATIVES
Employer

OC: 09/14/08 R: 03
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Care Initiatives (employer) appealed a representative's November 5, 2008 decision (reference 02) that concluded Patricia A. Snell (claimant) was qualified to receive benefits, and the employer's account was subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on December 3, 2008. Prior to the scheduled 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 a representative's November 5, 2008 decision. The employer's representative, TALX, faxed the employer's withdrawal request to the Appeals Section on November 25, 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 November 5, 2008 decision (reference 02) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of September 14, 2008, provided she meets all other eligibility requirements. The employer's account will not be charged during the claimant's current benefit year because the employer is not one of the claimant's base period employers.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs