IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

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

MICHAEL TINGLE
Claimant

WELLS FARGO BANK NA
Employer

APPEAL NO. 11A-UI-01969-NT

ADMINISTRATIVE LAW JUDGE DECISION

OC: 12/05/10
Claimant: Respondent (6)

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

STATEMENT OF THE CASE:

Wells Fargo Bank NA filed a timely appeal from the February 10, 2011, reference 01, decision that allowed benefits. A hearing was scheduled for March 17, 2011. Prior to the hearing being held, the appellant requested that the appeal be withdrawn.

ISSUE:

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal filed February 18, 2011.

FINDINGS OF FACT:

The administrative law judge having considered all of the evidence in the record, finds: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing.

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 (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The Agency representative's decision dated February 10, 2011, reference 01, is affirmed. The request of the appealing party to withdraw the appeal is approved and the decision of the representative shall stand and remain in effect.

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Terence P. Nice
Administrative Law Judge

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Decision Dated and Mailed

kjw/kjw