

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

LORI L CLARK
Claimant

LINN COUNTY HUMAN RESOURCES DEPT
Employer

APPEAL NO. 12A-UI-04312-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/25/12
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed from a representative's decision dated April 16, 2012, reference 01, that held she was discharged for misconduct on March 31, 2011, and benefits were denied. A hearing was scheduled for May 8, 2012. Prior to the hearing being held, the claimant requested the appeal be withdrawn.

ISSUE:

The issue is whether the appeal should be withdrawn.

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been made orally that has been recorded.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 decision of the representative dated April 16, 2012, reference 01, is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative that claimant was discharged for misconduct on March 31, 2011 shall stand and remain in full force and effect.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs