

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

DEBRA L DAMMANN
Claimant

APPEAL NO: 13A-UI-01476-ST

**ADMINISTRATIVE LAW JUDGE
DECISION**

THE NEBRASKA MEDICAL CENTER
Employer

OC: 12/30/12
Claimant: Appellant (6)

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a department decision dated January 31, 2013, reference 01, that denied her request for business closing benefits effective December 30, 2012. A telephone hearing was scheduled for March 6 2013. Prior to the hearing, claimant withdrew her appeal.

ISSUE:

Whether claimant's withdrawal of appeal should be approved.

FINDINGS OF FACT:

The administrative law judge having considered the evidence in the record finds: The claimant entered a withdrawal of appeal. She is entitled to regular UI benefits by reason of her lay-off but the business did not permanently close.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 concludes the claimant's appeal withdrawal is approved.

DECISION:

The department decision dated January 31, 2013, reference 01, is affirmed. The claimant appeal withdrawal is approved and the department decision that denies business closing benefits remains in force and effect.

Randy L. Stephenson
Administrative Law Judge

Decision Dated and Mailed

rls/pjs