

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JEANNETTE A PECK**  
Claimant

**APPEAL NO. 09A-UI-07904-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**QWEST CORPORATION**  
Employer

**Original Claim: 04/12/09  
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the May 19, 2009, reference 01, decision that allowed benefits. A hearing was scheduled for June 16, 2009. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

**ISSUE:**

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

**FINDINGS OF FACT:**

The appealing party, Qwest Corporation, through their representative, Steven Zaks of Barnett Associates, contacted the administrative law judge a few minutes before the scheduled start of the hearing and requested to withdraw the employer's appeal. The call from the employer representative was a recorded call.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal is approved. The Agency representative's May 19, 2009, reference 01, decision allowing benefits shall stand and remain in full force and effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

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