

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

JACOB W GEERY
Claimant

APPEAL NO: 12A-UI-01146-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

MCCORMICK ENTERPRISES
Employer

OC: 12/18/11
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated January 27, 2012, reference 02. A hearing was scheduled for March 6, 2012. Prior to the hearing being held, the employer requested the appeal be withdrawn.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request was submitted in writing. The withdrawal was after it was explained that the employer was not a chargeable employer on the claim and the decision issued did not amount to a determination that the employer was a covered employer under the unemployment insurance law.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 unemployment insurance decision dated January 27, 2012, reference 02, is affirmed. The decision granting benefits remains in effect.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css