

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ESPEY, ANTHONY, W**  
Claimant

**APPEAL NO. 11A-UI-00274-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CRST VAN EXPEDITED INC**  
Employer

**OC: 11/07/10**  
**Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Anthony Espey filed an appeal from the December 21, 2010, reference 01 decision that denied benefits in connection with an October 17, 2010 separation from the above employer.. A hearing was scheduled for February 15, 2011. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

A hearing was scheduled for February 15, 2011 and the parties were properly notified by notice mailed on February 1, 2011. On February 7, 2011, the appellant, Anthony Espey, faxed a written request to withdraw the appeal in this matter and a companion case.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claimant/appellant's request to withdraw his appeal from the December 21, 2010, reference 01 decision that denied benefits is approved. The December 21, 2010, reference 01 decision remains in effect. The hearing set for February 15, 2011 is canceled.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/css