

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**MICHAEL J WEST**  
Claimant

**APPEAL NO. 08A-UI-00100-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PELLA CORPORATION**  
Employer

**OC: 11/25/07 R: 03**  
**Claimant: Respondent (6)**

Section 96.5-2-a – Discharge  
871 IAC26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Pella Corporation (employer) appealed a representative's December 24, 2007 decision (reference 01) that concluded Michael J. West (claimant) was qualified to receive unemployment insurance benefits, and the employer's account could be charged because the claimant became unemployed for nondisqualifying reasons. A hearing was scheduled on January 25, 2008. Prior to the hearing, the employer's representative, TALX, made a request to withdraw the employer's appeal. Based on the employer's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**FINDINGS OF FACT:**

The employer withdrew its appeal from the representative's December 24, 2007 decision. The Appeals Section received the employer's withdrawal request by fax on January 23, 2008.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The representative's December 24, 2007 decision (reference 01) is affirmed. The employer's withdrawal request is approved. As of November 25, 2007, the claimant remains qualified to receive unemployment insurance benefits, provided he meets all other eligibility requirements. The employer's account may be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css