

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MICHAEL P MORNING
Claimant

APPEAL NO: 14A-UI-11593-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

OC: 10/05/14
Claimant: Appellant (6)

Section 871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated November 5, 2014, reference 02, that denied him benefits. A hearing was scheduled for December 1, 2014. Prior to the hearing being held, the claimant requested the appeal be withdrawn.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 orally and was recorded. The claimant withdrew after it was explained that under the law, his earnings limit was \$269 (weekly benefit amount of \$254 plus \$15).

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 November 5, 2014, reference 02, is affirmed.
The decision denying benefits remains in effect.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

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