

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

WAYNETTE M HIGGINS
Claimant

APPEAL 17A-UI-05250-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

HARVEST MANAGEMENT SUB TRS CORP
Employer

**OC: 04/16/17
Claimant: Respondent (6)**

Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed by the employer from a representative's decision dated May 9, 2017, (reference 04). The decision allowed benefits to the claimant but the employer was relieved of charges. A hearing was scheduled for June 6, 2017. At the time of the hearing, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party through Stacey Barney to withdraw the appeal. The request has been recorded.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

The scheduled hearing for June 6, 2017 is cancelled.

DECISION:

The decision of the representative dated May 9, 2017, (reference 04) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. The claimant is allowed benefits provided she is otherwise eligible, and the employer's account shall not be charged.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

Jlb/scn