

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**RANDY J HOHENADEL**  
Claimant

**APPEAL NO: 06A-UI-10291-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**SENTRY INS A MUTUAL CO**  
Employer

**OC: 09/17/06 R: 04**  
**Claimant: Appellant (6)**

871 IAC26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The Appeals Section incorrectly concluded Randy J. Hohenadel (claimant) appealed a representative's October 11, 2006 decision (reference 02) that concluded he was ineligible to receive unemployment insurance until the week of October 22, 2006, because he received vacation pay from Sentry Ins. A Mutual Company (employer). A hearing was scheduled on November 6, 2006. The claimant appeared for the hearing. The employer responded to the hearing notice and was contacted. The employer was not available for the hearing. After the hearing was closed, the employer contacted the Appeals Section and reported that the employer did not dispute anything the claimant presented. At the time of the hearing, the claimant verified that he had not appealed the vacation pay decision and had no objections to withdrawing an appeal in this matter. Based on the claimant's verification that he never appealed the October 11 decision and had no objections to withdrawing this appeal, 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 claimant officially withdrew an appeal from a representative's October 11, 2006 decision. The claimant never intended to appeal this decision and verified this on November 6, 2006. The claimant's statements were tape-recorded.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claimant's request to withdraw an appeal from a representative's October 11, 2006 decision is approved.

**DECISION:**

The representative's October 11, 2006 decision (reference 02) is affirmed. The claimant's withdrawal request is approved. The claimant remains ineligible to receive benefits until October 22, 2006 because he received vacation pay for the weeks ending September 23 through October 21, 2006.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs