IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

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

FELICIA D CRIBBS
Claimant

ACCESS DIRECT TELEMARKETING INC
Employer

APPEAL NO. 07A-UI-11451-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

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

871 IAC26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Access Direct Telemarketing, Inc. (employer) appealed a representative's December 7, 2007 decision (reference 01) that concluded Felicia D. Cribbs (claimant) was qualified to receive unemployment insurance benefits, and the employer's account was subject to charge because the claimant had been discharged for nondisqualifying reasons.   A hearing was scheduled on January 4, 2008. Prior to the hearing, the employer made a request to withdraw its 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's representative, TALX, withdrew the employer's appeal from a representative's December 7, 2007 decision. The employer's withdrawal request was faxed to the Appeals Section on December 27, 2007.

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 (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 7, 2007 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of November 11, 2007, provided she 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