

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KOFFA P LAWSON**  
Claimant

**APPEAL NO. 12A-UI-08552-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**MARSDEN BLDG MAINTENANCE LLC**  
Employer

**OC: 10/09/11  
Claimant: Appellant (6)**

Iowa Code Section 96.5(1) – Voluntary Quit  
871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Koffa Lawson filed an appeal that the Appeals Section interpreted as an appeal from the July 2, 2012, reference 04, decision that denied benefits based on Mr. Lawson's May 25, 2012 separation from Marsden Building Maintenance, L.L.C. A hearing was scheduled for August 9, 2012. At that time, Mr. Lawson requested to withdraw his appeal from the July 2, 2012, reference 04, decision.

**FINDINGS OF FACT:**

Koffa Lawson filed an appeal that the Appeals Section interpreted as an appeal from the July 2, 2012, reference 04, decision that denied benefits based on Mr. Lawson's May 25, 2012 separation from Marsden Building Maintenance, L.L.C. A hearing was scheduled for August 9, 2012. The first issue was timeliness of the claimant's appeal. At that time, Mr. Lawson insisted that he did not appeal from the decision concerning his separation from Marsden Building Maintenance, L.L.C. Even after the administrative law judge fully and repeatedly explained to Mr. Lawson that the July 2, 2012, reference 04, disqualified him for unemployment insurance benefits and would prevent him from being eligible for benefits absent a successful appeal from it, Mr. Lawson continued to insist that he had not filed an appeal from the decision and did not want to contest the decision. Mr. Lawson refused to take the oath and indicated he would not swear to tell the truth because he had not appealed from the decision that denied benefits in connection with his separation from Marsden Building Maintenance. After several thwarted attempts to move forward with the hearing, the administrative law judge asked Mr. Lawson whether it was his intention and desire to withdraw the appeal. Mr. Lawson clearly indicated that was his request.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case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 administrative law judge has reviewed the records and files herein and concludes that Mr. Lawson's knowing and voluntary request to withdraw the appeal should be approved.

**DECISION:**

The claimant's request to withdraw the appeal is approved. The Agency representative's July 2, 2012, reference 04, decision that denied benefits based on the claimant's May 25, 2012 separation from Marsden Building Maintenance, L.L.C., shall remain effect.

Upon review of the agency's administrative record, the administrative law judge sees no other recent disqualification decision concerning the claimant.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/css