

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**COBY D HEMPHILL**  
Claimant

**AEROTEK INC**  
Employer

**APPEAL 19A-UI-00596-EC-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 12/09/18**  
**Claimant: Respondent (6)**

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Iowa Code §96.5(2)(a) – Discharge for Misconduct  
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:**

The employer, Aerotek Inc, filed an appeal from an unemployment insurance decision dated January 10, 2019, reference 01. A telephone hearing was scheduled for February 5, 2019, at 8:00 a.m. On January 29, 2019, before the hearing date, the employer/appellant submitted a written withdrawal of its appeal, via fax. The Appeals Bureau received the withdrawal on that date. The hearing was canceled due to this appeal withdrawal.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The unemployment insurance decision issued on January 10, 2019, reference 01, determined that the claimant was eligible for benefits. On January 17, 2019, the employer appealed this decision via regular mail. A telephone hearing was scheduled for this appeal on February 5, 2019, at 8:00 a.m. On January 29, 2019, the employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing, via fax, by the employer's authorized representative. The Appeals Bureau received the withdrawal on that same date.

**REASONING AND CONCLUSIONS OF LAW:**

An appellant may submit a written request to withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1).

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The appealing party's request to withdraw its appeal of the unemployment insurance decision dated January 10, 2019, reference 01, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on February 5, 2019, at 8:00 a.m. is canceled.

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Emily Gould Chafa  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development

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Decision Dated and Mailed

ec/rvs