

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MATTHEW A DIGHTON
Claimant

APPEAL NO: 13A-UI-07590-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CEDAR RAPIDS COMM SCHOOL DIST
Employer

OC: 06/09/13
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed an unemployment insurance decision dated June 21, 2013, reference 01, that concluded that he had enough non-school wages to be eligible for benefits but could not receive benefits based on wages from the employer between school terms. A hearing was scheduled for August 23, 2013. Prior to the hearing being held, the claimant requested the appeal be withdrawn when he was informed that he could only receive an additional \$13.00 per week if he prevailed on his appeal.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request was submitted orally and was 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 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.

DECISION:

The unemployment insurance decision dated June 21, 2013, reference 01, is affirmed. The decision that he had enough non-school wages to be eligible for benefits but could not receive benefits based on wages from the employer between school terms remains in effect.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/css