

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STEPHANIE M TERRY
Claimant

APPEAL NO. 10A-UI-15834-SWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CARE INITIATIVES
Employer

**OC: 11/04/10
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated November 4, 2010, reference 02. A hearing was scheduled for January 3, 2011. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request was submitted in writing.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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. In fact, it does not appear the employer actually appealed the decision in question as it was not adverse to the employer (the decision requires the claimant to search for work) and is not specifically mentioned in the appeal letter.

DECISION:

The unemployment insurance decision dated November 4, 2010, reference 02, is affirmed. The decision requiring the claimant to search for work remains in effect.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs