

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**LINDA D HARRIS**  
Claimant

**APPEAL NO. 12A-UI-06607-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OAKES VARIETY LLC**  
**OAKES VARIETY STORE**  
Employer

**OC: 04/29/12**  
**Claimant: Appellant (6)**

Section 95.1 - Voluntary Quit  
871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Linda Harris filed an appeal from the June 5, 2012, reference 02, decision that allowed benefits during an April 29, 2012 through May 12, 2012 resignation notice period but that denied benefits thereafter. A hearing was scheduled for June 27, 2012. Prior to the hearing being held, Ms. Harris requested the appeal be withdrawn.

**ISSUE:**

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

**FINDINGS OF FACT:**

Linda Harris is the appealing party in this matter. A hearing was set for June 27, 2012. On June 18, 2012, Ms. Harris submitted a written request to withdraw her appeal. The request was submitted before the hearing had taken place and prior to the decision being entered on the appeal.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 appealing party's request to withdraw the appeal should be approved.

**DECISION:**

The claimant's request to withdraw the appeal is approved. The Agency representative's June 5, 2012, reference 02, decision, which allowed benefits during an April 29, 2012 through May 12, 2012 resignation notice period but that denied benefits thereafter, shall remain in effect. The hearing previously set for June 27, 2012 is canceled.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/kjw