

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ABRAHAM B BREWER
Claimant

EXPRESS SERVICES INC
Employer

APPEAL 20A-UI-15623-CL-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/23/20
Claimant: Respondent (6)

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:

On November 23, 2020, the employer filed an appeal from the November 13, 2020, (reference 01) unemployment insurance decision that allowed claimant unemployment insurance benefits. The parties were properly notified about the hearing. A telephone hearing was scheduled for January 26, 2021. Before the hearing was held, employer withdrew the appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Employer requested to withdraw the appeal of the unemployment insurance decision that allowed claimant benefits. The request was submitted in writing.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. 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 and concludes that employer's request to withdraw the appeal should be approved.

DECISION:

Employer's request to withdraw the appeal of the unemployment insurance decision dated November 13, 2020, (reference 01) is approved. The decision allowing claimant unemployment insurance benefits shall stand and remain in effect.



Christine A. Louis
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

February 11, 2021
Decision Dated and Mailed

cal/lj