

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**NICOLE R SCOTT**  
Claimant

**A TO Z CORPORATION**  
**A TO Z DAYCARE & LEARNING CENTER**  
Employer

**APPEAL NO. 13A-UI-02683-ST**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/30/12**  
**Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer appealed from a department representative's decision dated March 1, 2013, reference 04, that held claimant did not refuse suitable work, and benefits are allowed. A telephone hearing was scheduled for April 2, 2013. Prior to the hearing being held, the appellant/employer requested the appeal be withdrawn.

**ISSUE:**

The issue is whether the appeal should be withdrawn.

**FINDINGS OF FACT:**

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted orally that was recorded. The employer withdrew its appeal because it received a department decision claimant is participating in DAT and its account will not be charged for benefits during a training period ending May 18, 2013.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 decision of the representative dated March 1, 2013, reference 04, is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. Benefits are allowed, provided the claimant is otherwise eligible.

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Randy L. Stephenson  
Administrative Law Judge

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Decision Dated and Mailed

rls/css