

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RICHARD E CLARK
Claimant

KINSETH HOTEL CORPORATION
Employer

APPEAL 16A-UI-00718-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 12/13/15
Claimant: Respondent (6)

Iowa Code § 96.5(1) – Voluntary Quit
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:

An appeal was filed from an unemployment insurance decision dated December 31, 2015 (reference 01). A telephone hearing was scheduled for February 9, 2016, at 10:00 a.m. Prior to the hearing date, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: The employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing on January 29, 2016, by the employer's representative.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

Based on the available record, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated December 31, 2015, (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on February 9, 2016, at 10:00 a.m. is canceled.

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Decision Dated and Mailed

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