

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

KURT WILKINS

Claimant

APPEAL NO. 14A-UI-09697-JT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**CRAWFORD COUNTY MEMORIAL
HOSPITAL**

Employer

OC: 08/17/14

Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Kurt Wilkins filed an appeal from the September 8, 2014, reference 01, decision that disqualified him for benefits and that relieved the employer's account of liability for benefits, based on an Agency conclusion that Mr. Wilkins had voluntarily quit on August 4, 2014 without good cause attributable to the employer. An in-person hearing was scheduled in Carroll for November 5, 2014. Prior to the hearing being held, the claimant/appellant requested that the appeal be withdrawn.

FINDINGS OF FACT:

Kurt Wilkins is the claimant and appellant in this matter. An in-person hearing is set for Carroll on November 5, 2014. On October 24, 2014, the Appeals Section received a faxed memo from Mr. Wilkins indicating that he intended "to cease and terminate" his unemployment claim. On October 31, 2014, the administrative law judge spoke with Mr. Wilkins as part of a recorded telephone call. Mr. Wilkins clarified at that time that he desired to withdraw his appeal. The request to withdraw the appeal was made before a decision had been entered in connection with the appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

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 September 8, 2014, reference 01, decision that disqualified the claimant for benefits and that relieved the employer's account of liability for benefits in connection with the August 4, 2014 separation shall remain effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/pjs