

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**TABITHA A SCHNITTJER**  
Claimant

**APPEAL NO: 11A-UI-08765-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DUBUQUE COUNTY**  
Employer

**OC: 06/13/10**  
**Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's August 3, 2010 determination (reference 01) that disqualified her from receiving benefits and held the employer's account exempt from charge because she had been discharged for disqualifying reasons. A hearing was scheduled on July 26, 2011. The claimant appeared for the hearing with her attorney, Erin Lyons. Les Reddick, Attorney at Law, appeared on the employer's behalf with Bob Lyon as the employer's witness. At the hearing, the claimant withdrew her appeal in this matter. Based on the claimant's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**FINDINGS OF FACT:**

The claimant withdrew her appeal from the representative's August 3, 2010 determination. The claimant did not disagree with this determination. The claimant's withdrawal request was tape-recorded.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claimant's withdrawal request from the representative's August 3, 2010 determination is approved.

The claimant understood that to requalify to receive benefits, she must establish she has earned ten times her weekly benefits or \$3,740.00 after June 17, 2010, before she is again eligible to receive benefits. Any issues she has regarding her employment at Dubuque Fitness, Inc. is not affected by her withdrawal of this appeal.

**DECISION:**

The representative's August 3, 2010 determination (reference 01) is affirmed. The claimant's request to withdraw her appeal in this matter is approved. This means the claimant remains disqualified from receiving unemployment insurance benefits as of June 13, 2010. This disqualification continues until she has been paid ten times her weekly benefit amount for insured work, provided she is otherwise eligible. The employer's account will not be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css