

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

MARK ANDERSON SR
Claimant

APPEAL NO. 09A-UI-08440-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BURKE MARKETING CORPORATION
Employer

OC: 05/03/09
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Mark Anderson, Sr., filed an appeal from the June 9, 2009, reference 01, decision that denied benefits. A hearing was scheduled for July 9, 2009. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

On June 30, 2009, the claimant, Mark Anderson, Sr., submitted on written request to withdraw his appeal. The hearing has not yet occurred.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal is approved. The Agency representative's June 9, 2009, reference 01, disqualification decision shall stand and remain in full force and effect.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/css