

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

BARBARA A HALE
Claimant

APPEAL NO. 09A-UI-09328-VST

**ADMINISTRATIVE LAW JUDGE
DECISION**

MAINSTREAM LIVING INC
Employer

OC: 05/17/09
Claimant: Appellant (6)

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated June 23, 2009, reference 01, that disqualified her for benefits. When the claimant was called for the hearing on July 15, 2009, she informed the administrative law judge that she wished to withdraw her appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having heard the request of the claimant and having considered all of the evidence in the record, makes the following findings of fact:

The claimant requested that her appeal of the denial of her unemployment insurance benefits be withdrawn.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 26.8(1) allows the administrative law judge to grant an appellant's request for the withdrawal of its appeal. A review of all matters of record persuades the administrative law judge that it is appropriate to allow the withdrawal of this appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

DECISION:

The unemployment insurance decision dated June 23, 2009, reference 01, remains in effect as if no appeal had been filed. Benefits are withheld until the claimant has worked in and has been paid wages for insured work equal to ten times her weekly benefit amount, provided she is otherwise eligible.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/css