

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**KATE R FREDERICK**  
Claimant

**APPEAL NO. 10A-UI-06952-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ALEGENT HEALTH**  
Employer

**Original Claim: 04/04/10  
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer appealed a representative's May 7, 2010 decision (reference 02) that concluded the claimant was qualified to receive benefits and the employer's account was subject to charge because the claimant had been discharged for non-disqualifying reasons. A hearing was scheduled on July 1, 2010. On June 11, 2010, the employer's representative, TALX, faxed a withdrawal request to the Appeals Section. Based on the employer'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.

**ISSUE:**

At issue in this matter is whether the appellant herein should be allowed to withdraw its appeal.

**FINDINGS OF FACT:**

The employer withdrew its appeal from the representative's May 7, 2010 decision. The employer's withdrawal request was faxed to the Appeals Section on June 11, 2010.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 employer's request to withdraw its appeal is approved.

**DECISION:**

The representative's May 7, 2010 decision (reference 02) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of April 4, 2010, provided she meets all other eligibility requirements. The employer's account may be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/kjw