

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

CHERYL A RUZICH
Claimant

APPEAL NO: 12A-UI-09536-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

OC: 07/01/12
Claimant: Respondent (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's August 2, 2012 determination (reference 03) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant's employment separation was for non-disqualifying reasons. A hearing was scheduled on August 29, 2012. The claimant participated at the hearing. Jody Korleski appeared on the employer's behalf. Korleski informed the administrative law judge the employer did not protest the determination and then withdrew their appeal. 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.

FINDINGS OF FACT:

The employer withdrew the employer's appeal from a representative's August 2, 2012 determination (reference 031). The employer's August 29, 2012 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 An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 employer's request to withdraw his appeal is approved.

DECISION:

The representative's August 2, 2012 determination (reference 03) is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits as of July 1, 2012. The employer's account is subject to charge.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw