

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TIM J SIMON
Claimant

APPEAL NO: 14A-UI-00787-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

EXPRESS SERVICES INC
Employer

**OC: 10/13/13
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's January 16, 2014 determination (reference 01) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant completed a job assignment and made a timely request for another assignment. A hearing was scheduled on February 13, 2014. On February 6, 2013, the employer's representative made a request to withdraw the employer's 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 an appeal from a representative's January 16, 2014 determination (reference 01). The employer sent a fax to the Appeals Bureau on February 6, 2014, to withdraw the appeal.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

The employer's request to withdraw this appeal is approved.

DECISION:

The representative's January 16, 2014 determination (reference 01) is affirmed. The employer's withdrawal request is approved. This means the claimant remains qualified to receive benefits as of December 18, 2013. The employer's account may be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css