

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**LEE BUTTERFIELD**  
Claimant

**APPEAL NO. 18A-UI-02936-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**GROWMARK INC**  
Employer

**OC: 02/04/18**  
**Claimant: Respondent (6)**

Iowa Code Section 96.5(2)(a) - Discharge  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the February 23, 2018, reference 01, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant was discharged on January 26, 2018 for no disqualifying reason. A hearing was scheduled for March 29, 2018. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The employer is the appellant in this matter. The employer has requested to withdraw its appeal. The request has been submitted on March 20, 2018 in writing and before a decision had been entered in connection with the appeal.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-26.8(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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The administrative law judge concludes that the employer's request to withdraw the appeal should be approved.

**DECISION:**

The employer's request to withdraw the appeal is approved. The February 23, 2018, reference 01, decision that allowed benefits to the claimant provided he was otherwise eligible and that held the employer's account could be charged for benefits, based on the Benefits Bureau deputy's conclusion that the claimant was discharged on January 26, 2018 for no disqualifying reason, remains in effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/rvs