

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SERINA J STABENOW
Claimant

APPEAL NO. 10A-UI-17026-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

REGIS CORP
Employer

OC: 10/31/10
Claimant: Appellant (6)

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's December 9, 2010 decision (reference 01) that held her ineligible to receive benefits as of October 31, 2010 because she was not partially unemployed. A hearing was scheduled on January 26, 2011. On January 25, the claimant withdrew her appeal in this matter. Based on the claimant's withdrawal request, 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 claimant withdrew her appeal from a representative's December 9, 2010 decision. On January 25, 2011, the claimant faxed her written withdrawal request. The administrative law judge also called the claimant to confirm that she wanted to withdraw her 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 tape-recorded by the presiding officer.

The claimant's request to withdraw her appeal is approved.

DECISION:

The representative's December 9, 2010 decision (reference 01) is affirmed. The claimant's withdrawal request is approved. The claimant is ineligible to receive benefits as of October 31, 2010, or while she works for the employer.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/kjw