

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

WILLIAM P LEWIS
Claimant

APPEAL NO: 10A-UI-03538-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

CITY OF DES MOINES
Employer

**OC: 01/31/10
Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's February 26, 2010 decision (reference 01) that concluded he was not qualified to receive benefits, and the employer's account was exempt from charge because the claimant had been discharged for disqualifying reasons. A hearing was scheduled on April 9, 2010. On March 29, 2010, the claimant contacted the Appeals Section and made a request to withdraw his appeal. Based on the claimant'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:

On March 29, 2010, the claimant withdrew his appeal from a representative's February 26, 2010 decision. The claimant's 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claimant's withdrawal request is approved.

DECISION:

The representative's February 26, 2010 decision (reference 01) is affirmed. The claimant's withdrawal request is approved. The claimant remains disqualified from receiving benefits as of January 31, 2010. This disqualification continues until he has been paid ten times his weekly benefit amount for insured work, provided he is otherwise eligible. The employer's account will not be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/css