

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**WILLIAM R YOUNGBERG**  
Claimant

**APPEAL NO. 08A-UI-09193-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ABC SUPPLY CO INC**  
Employer

**OC: 01/20/08 R: 04**  
**Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

ABC Supply Company, Inc. (employer) appealed a representative's September 30, 2008 decision (reference 01) that concluded William R. Youngberg (claimant) was qualified to receive benefits because his employment separation occurred for nondisqualifying reasons. A hearing was scheduled on October 27, 2008. Prior to the scheduled hearing, the employer's representative, TALX, 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 its appeal from a representative's September 30, 2008 decision. The employer's withdrawal request was faxed to the Appeals Section on October 20, 2008.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

**DECISION:**

The representative's September 30, 2008 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits, provided he meets all other eligibility requirements.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css