

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
<b>CINDY DOLMAGE</b> Claimant  <b>HENDERSON &amp; ASSOCIATES INC</b> Employer	<b>APPEAL NO: 07A-UI-07521-DWT</b>  <b>ADMINISTRATIVE LAW JUDGE DECISION</b>   <b>OC: 11/12/06 R: 01</b> <b>Claimant: Respondent (6)</b>

871 IAC26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The Appeals Section concluded Henderson & Associates (employer) appealed a representative's December 8, 2006 decision (reference 01) in addition to another decision that was issued on July 30, 2007. A hearing in this matter was scheduled on August 21, 2007. The claimant was called for the hearing, but she was not available. John Henderson, the owner/president, appeared on the employer's behalf. At the time of the hearing, the employer withdrew its appeal with respect to the December 8, 2006 decision. 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 the December 6, 2006 decision. The employer never intended to appeal the December 6, 2006 decision and asked that the appeal in this matter be withdrawn. The employer's 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 employer's request to withdraw its appeal is approved.

**DECISION:**

The representative's December 8, 2006 decision (reference 01) is affirmed. The employer's withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of November 12, 2006, provided she meets all other eligibility requirements. The employer's account may be charged.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs