

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ROBERTA S BOOGERD
Claimant

APPEAL NO: 10A-UI-04673-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

BATH & BODY WORKS LLC
Employer

**OC: 02/21/10
Claimant: Respondent (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer appealed a representative's March 16, 2010 decision (reference 01) that held the claimant qualified to receive benefits and the employer's account subject to charge because the claimant had been discharged for nondisqualifying reasons. A hearing was scheduled on May 6, 2010. Prior to the hearing, the employer 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 March 16, 2010 decision. The employer's withdrawal request faxed to the Appeals Section on May 5, 2010.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 March 16, 2010, decision (reference 01) is affirmed. The employer's May 5, 2010 withdrawal request is approved. The claimant remains qualified to receive unemployment insurance benefits as of February 21, 2010, provided she meets all other eligibility requirements. The employer's account may be charged.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs