

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

ESTHER M DESEH
Claimant

APPEAL NO. 11A-UI-02509-VS

**ADMINISTRATIVE LAW JUDGE
DECISION**

HCM INC
Employer

**OC: 01/16/11
Claimant: Respondent (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the February 21, 2011, reference 03, decision that held the claimant was eligible for unemployment insurance benefits.. A hearing was scheduled for April 19, 2011, in Davenport, Iowa. Prior to the hearing being held, the employer requested that the appeal be withdrawn.

ISSUE:

Whether the appellant should be permitted to withdraw its appeal.

FINDINGS OF FACT:

The administrative law judge, having reviewed the record, makes the following findings of fact: On April 15, 2011, the employer filed a written request to withdraw its appeal filed on March 2, 2011.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal is approved. The Agency representative's decision dated February 21, 2011, reference 03, shall stand and remain in full force and effect.

Vicki L. Seeck
Administrative Law Judge

Decision Dated and Mailed

vls/pjs