

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
DIVISION OF ADMINISTRATIVE HEARINGS  
Wallace State Office Building  
DES MOINES IOWA 50319

**Appeal Number:** 11IWD028

**Respondent (1)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**This Decision Shall Become Final, as of the date of mailing stated below unless:**

**KING PAINTING  
WILLIAM KING, OWNER**

1. Either party files a WRITTEN application for a rehearing WITHIN TWENTY (20) DAYS AFTER the date below. The written application must state the specific reasons for the rehearing and the relief sought. If the request for a rehearing is denied or if the rehearing decision is not satisfactory, either party may petition the District Court WITHIN THIRTY (30) DAYS of either action;  
OR

**IOWA WORKFORCE DEVELOPMENT  
JASON TRYON, UI MANAGER**

2. Either party may petition the District Court WITHIN THIRTY (30) DAYS after the date below.

YOU DO HAVE THE RIGHT TO HIRE A LAWYER at your own expense to represent you in these proceedings.

CHRISTOPHER JAMES  
JOE BERVID  
NICHOLAS OLIVENCIA  
MATT MARDESEN

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(Administrative Law Judge)

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April 19, 2012

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(Decision Dated & Mailed)

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871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

### **STATEMENT OF THE CASE**

Iowa Workforce Development (“IWD”) issued a decision finding Appellant King Painting was a newly covered employer in the construction industry and that an employer-employee relationship existed between King Painting and individuals performing services for the business from 2005 through 2010. King Painting appealed. A contested case hearing was scheduled for February 8, 2012. The parties requested a continuance of the hearing. The hearing was rescheduled for May 7, 2012. On April 19, 2012, I received a Withdrawal of Protest from King Painting attaching a copy of a Stipulated Agreement entered by the parties. IWD’s rules allow an appellant to withdraw an appeal at any time prior to the issuance of a decision, with the approval of the administrative law judge.<sup>1</sup> The request to withdraw the appeal is granted.

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<sup>1</sup> 871 IAC 26.8(1).

**DECISION**

Appellant's request to withdraw the appeal is granted. This matter is deemed withdrawn.

hlp