

04 NCAC 24C .0214 WITHDRAWAL OF APPEAL

- (a) The appealing party may request to withdraw an appeal. Any request to withdraw an appeal must be made to the Appeals Referee scheduled to conduct the hearing.
- (b) A request to withdraw an appeal may be made in writing or orally.
 - (1) If the request is made in writing, it shall be made part of the record and include:
 - (A) the Appeals Docket Number;
 - (B) the names of parties to the appeal;
 - (C) the name of the individual making the request, and the individual's job title if the employer is the requesting party; and
 - (D) a telephone number where the individual making the request to withdraw may be reached. The written request to withdraw shall be made part of the record.
 - (2) If the request is made orally, it shall be recorded by the Appeals Referee using the digital recording system used to record hearings in accordance with G.S. 96-15(c).
- (c) If a request to withdraw the appeal is granted, the Appeals Referee shall issue a written order. The order shall contain no right to appeal the withdrawal of the appeal.
- (d) If the request to withdraw the appeal is denied, the Appeals Referee shall notify the requesting party and make an oral ruling on the record providing the information considered and the reason the request was denied. The order shall contain no right to appeal the denial of the withdrawal of the appeal.
- (e) The Appeal Referee's order granting or denying the request shall be included in the official record of the case.

*History Note: Authority G.S. 96-4; 96-15;
Eff. July 1, 2018;
Amended Eff. June 1, 2022.*