

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TERRY C HAMMER Claimant IOWA WORKFORCE DEVELOPMENT DEPARTMENT	<div>68-0157 (9-06) - 3091078 - EI</div> <div>APPEAL NO: 14A-UI-04808-SWT ADMINISTRATIVE LAW JUDGE DECISION</div> <div>OC: 08/11/13 Claimant: Appellant (6)</div>
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871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated May 1, 2014, reference 03. A hearing was scheduled for May 29, 2014. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

A request has been made by the appealing party to withdraw the appeal. The request was submitted orally and was recorded. The appeal was withdrawn because the claimant was paid for the week he was requesting eliminating the need for the hearing.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 unemployment insurance decision dated May 1, 2014, reference 03, is affirmed. Although the claimant was denied backdating, he has received benefits for the week he was requesting.

Steven A. Wise
Administrative Law Judge

Decision Dated and Mailed

saw/pjs