

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MICHAEL J TAYLOR
Claimant

IOWA REALTY CO INC
Employer

**APPEAL 21A-UI-01219-LJ-T
ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/03/20
Claimant: Appellant (6)**

Iowa Code § 96.5(1) – Voluntary Quitting of Employment
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated December 7, 2020 (reference 01). A telephonic hearing was scheduled for 3:00 p.m. on Tuesday, February 16, 2021. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted verbally and has been recorded. The administrative law judge received claimant Michael Taylor's request to withdraw the appeal on February 16, 2020.

When this administrative law judge contacted the parties for the hearing, she explained that the hearing would be deciding eligibility for benefits from the point of separation from employment forward. She clarified for the parties that the two weeks of benefits that Mr. Taylor received prior to the separation were not in jeopardy here, as they pre-dated the date of separation. After receiving that information, Mr. Taylor confirmed that he wished to withdraw his appeal.

REASONING AND CONCLUSIONS OF LAW:

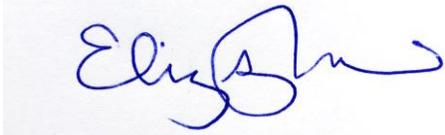
Iowa Admin. Code r. 871-26.8(1) provides:

- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 decision of the representative dated December 7, 2020 (reference 01) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.



Elizabeth A. Johnson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

February 24, 2021
Decision Dated and Mailed

lj/mn