

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**BENJAMIN T ANCTIL**  
Claimant

**APPEAL 20A-UI-06004-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**O'REILLY AUTOMOTIVE INC**  
Employer

**OC: 03/22/20**  
**Claimant: Respondent (6)**

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Iowa Code § 96.4(3) – Able to and Available for Work  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed by the employer from the Iowa Workforce Development representative's decision dated June 9, 2020 (reference 03) that found the claimant was eligible for benefits effective May 24, 2020. A hearing was scheduled for July 14, 2020 at 8:00 a.m. Prior to the hearing being held, the appellant/employer requested the appeal be withdrawn on the record.

**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 made on the record on July 14, 2020 by the employer's representative, Julie Mansfield.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the request to withdraw the appeal is granted.

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

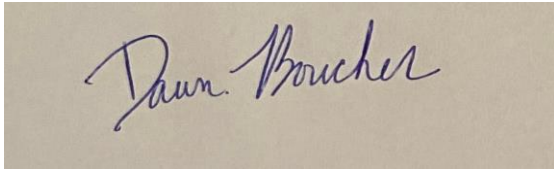
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The appellant/employer has made a request orally on the record. The administrative law judge has reviewed the record and concludes that the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of the representative dated June 9, 2020 (reference 03) that found the claimant was eligible for benefits effective May 24, 2020 shall stand and remain in full force and effect. The request of the appealing party to withdraw the appeal is approved and the hearing scheduled for July 14, 2020 at 8:00 a.m. is cancelled.

A rectangular area containing a handwritten signature in blue ink that reads "Dawn Boucher".

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Dawn Boucher  
Administrative Law Judge

July 22, 2020  
Decision Dated and Mailed

db/sam