

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

SILVIA GUTIERREZ
Claimant

APPEAL NO. 18A-UI-07114-JTT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SDH EDUCATION WEST LLC
Employer

OC: 05/20/18
Claimant: Appellant (6)

Iowa Code Section 96.4(3) – Work Search Requirement
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

The Appeals Bureau docketed a claimant appeal from the June 28, 2018, reference 01, decision that notified the claimant that she was no longer deemed temporarily unemployed, that she must actively seek work by contacting at least two employers each week, and that she must keep a record of her work search contacts and provide it upon request. A hearing was scheduled for July 18, 2018. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.

FINDINGS OF FACT:

Claimant Silvia Gutierrez is the appellant in this matter. The appeal hearing is set for July 18, 2018. On July 9, 2018, Ms. Gutierrez submitted a written request to withdraw the appeal. The request to withdraw the appeal was made before a decision was entered in connection with the 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 administrative law judge has reviewed the available administrative file and concludes that Ms. Gutierrez's request to withdraw the appeal should be approved.

DECISION:

The claimant's request to withdraw the appeal is approved. The June 28, 2018, reference 01, decision that notified the claimant that she was no longer deemed temporarily unemployed, that she must actively seek work by contacting at least two employers each week, and that she must keep a record of her work search contacts and provide it upon request remains in effect. The hearing set for July 18, 2018 is cancelled.

James E. Timberland
Administrative Law Judge

Decision Dated and Mailed

jet/rvs