

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**MACKENZIE L STEPP**  
Claimant

**APPEAL NO. 21A-UI-04781-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 11/01/20**  
**Claimant: Appellant (6)**

Iowa Code Section 96.4(3) – Able & Available  
Iowa Code Section 96.4(7) – Reemployment Services  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the January 25, 2021, reference 03, decision that denied benefits effective January 17, 2021, based on an Agency determination that the claimant filed to report as directed for Reemployment Services and Eligibility Assessment (RESEA) services on January 20, 2021 and therefore did not meet the availability requirements. A hearing was scheduled for April 13, 2021. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.

**FINDINGS OF FACT:**

The claimant is the appellant in this matter. The appeal hearing is set for April 13, 2021. On March 26, 2021, the claimant submitted a timely request to withdraw her appeal. The January 25, 2021, reference 03, decision denied benefits effective January 17, 2021, based on an Agency determination that the claimant filed to report as directed for Reemployment Services and Eligibility Assessment (RESEA) services on January 20, 2021 and therefore did not meet the availability requirements. On February 4, 2021, an Agency representative entered the reference 04 decision that allowed benefits effective January 31, 2021, provided the claimant met all other eligibility requirements, based on the Agency determination that the claimant had completed the RESEA requirement. In other words, the effect of the January 25, 2021, reference 03 decision was to deny benefits for the two-week period of January 17-30, 2021.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 administrative law judge concludes that the claimant's timely request to withdraw the appeal should be approved.

**DECISION:**

The claimant's request to withdraw the appeal is approved. The Agency representative's January 25, 2021, reference 03, decision that effectively denied benefits for the two-week period of January 17-30, 2021, based on an Agency determination that the claimant failed to report as directed for Reemployment Services and Eligibility Assessment (RESEA) services on January 20, 2021 and therefore did not meet the availability requirements, shall stand. The hearing set for April 13, 2021 is cancelled.

A handwritten signature in cursive script that reads "James E. Timberland". The signature is written in black ink on a light gray background.

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James E. Timberland  
Administrative Law Judge

April 1, 2021  
Decision Dated and Mailed

jet/scn