

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

WENDELL D GRAHAM
Claimant

HRB RESOURCES LLC
Employer

APPEAL 21A-UI-15880-AD-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/16/19
Claimant: Appellant (6R)

Iowa Code § 96.6(2) - Timeliness
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Wendell Graham (claimant/appellant) filed an appeal from the July 2, 2021 (reference 04) unemployment insurance decision that allowed benefits effective April 18, 2021.

A telephone hearing was held on September 8, 2021. The parties were properly notified of the hearing. Claimant participated personally. HRB Resources LLC (employer/respondent) did not register a number for the hearing or participate. Appellant withdrew his appeal on the record.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

The appellant requested to withdraw the appeal on the record during the hearing on September 8, 2021. He withdrew the appeal because the decision appealed is not averse to him.

The administrative law judge notes that despite the decision in claimant's favor, claimant's account is locked from the week ending June 19, 2021 through August 28, 2021. Claimant's account being locked appears to be an administrative error. This matter is remanded for unlocking of the claim.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the July 2, 2021 (reference 04) unemployment insurance decision that allowed benefits effective April 18, 2021 is approved. That decision shall stand and remain in full force and effect.

REMAND:

This matter is remanded to the department to unlock the claim during the weeks listed above.



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

September 14, 2021
Decision Dated and Mailed

abd/ol