

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

RANDY S WEILAND
Claimant

K MART CORP
Employer

APPEAL 17A-UI-05595-TN-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 04/30/17
Claimant: Appellant (6)

Iowa Code §96.4(3) – Able & Available for Work
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 – Motions

STATEMENT OF THE CASE:

The claimant, Randy Weiland, filed an appeal from an unemployment insurance decision dated May 25, 2017, reference 01, which denied benefits. A telephone hearing was initially scheduled on June 14, 2017, at 3:00 p.m. The hearing was continued for good cause and was rescheduled for June 28, 2017, at 3:00 p.m. During the hearing, on the record, the claimant/appellant withdrew this appeal. The hearing ended due to Mr. Weiland's appeal withdrawal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The claimant, the appealing party, requested to withdraw the appeal. He stated his intention to withdraw the appeal on the record during the hearing on June 28, 2017.

REASONING AND CONCLUSIONS OF LAW:

An appellant may withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1).

Based on the available record, 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 withdrawal of this appeal of the unemployment insurance decision dated May 25, 2017, reference 01, is approved. That decision shall stand and remain in full force and effect.

Terence P. Nice
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/rvs