

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**DAVID E BURSE**  
Claimant

**APPEAL NO. 19A-UI-05006-B2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**DISCOVERY TRAIL HEALTHCARE INC**  
Employer

**OC: 04/29/18**  
**Claimant: Respondent (6)**

Iowa Code §96.6(3) – Appeals  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed from a representative's decision dated June 14, 2019, reference 03. A hearing was scheduled for July 17, 2019. Prior to the hearing being held, appellant requested the appeal be withdrawn.

**ISSUE:**

The issue is whether the appeal should be withdrawn.

**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 submitted in writing.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

No hearing shall be held in this matter.

**DECISION:**

The decision of the representative dated June 14, 2019, reference 03, is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. Claimant is entitled to receive unemployment insurance benefits, provided eligibility requirements have been satisfied. The hearing set for July 17, 2019 at 11:00 a.m. is hereby cancelled.

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Blair A. Bennett  
Administrative Law Judge

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Decision Dated and Mailed

bab/scn