

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

**Appeal Number: 13IWDUI095**  
**OC: 1/6/13**  
**Claimant: Appellant (6)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> Floor Lucas Building, Des Moines, Iowa 50319.**

**TERRY SCHMITZ**  
**105 18<sup>TH</sup> ST. SE**  
**MASON CITY, IA 50309**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**IOWA WORKFORCE DEVELOPMENT INVESTIGATIONS & RECOVERY**  
**JANE CONNER**  
**600 S. PIERCE**  
**MASON CITY, IA 50401-4836**

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

JOE WALSH, IWD

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

March 26, 2013

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(Decision Dated & Mailed)

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871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

### **STATEMENT OF THE CASE**

Appellant Terry Schmitz appealed a decision issued by Iowa Workforce Development (the Department) dated February 5, 2013, reference 01. A telephone hearing was scheduled for April 5, 2013. Prior to that date, the Appellant submitted a written request to withdraw the appeal.

The Department's regulations permit an appeal to be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer.<sup>1</sup>

### **DECISION**

The Appellant's request to withdraw his appeal is approved and the appeal is deemed withdrawn.

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<sup>1</sup> 871 Iowa Administrative Code (IAC) 26.8(1).