

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**GINEZ ROMERO DE ALONSO**  
Claimant

**APPEAL NO: 15A-UI-11447-JE**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/16/15  
Claimant: Appellant (6)**

Section 96.4-3 – Able and Available for Work  
871 IAC 24.3(1) e, 24.11 – Failure to Report  
871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from a representative's decision dated October 12, 2015, reference 03. A hearing was scheduled for November 2, 2015, in Carroll, Iowa. During the hearing it was discovered the Department had corrected the issue the claimant was appealing and the claimant subsequently requested her appeal be withdrawn.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The issue is whether the appeal should be withdrawn.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 verbally and has been recorded.

The claimant received a phone call from the Department asking her to provide documentation in response to her weekly claim information. The claimant returned the required paperwork and the representative called and told her that everything was fine with regard to her claim. The claimant had not received benefits for the week ending October 10, 2015, but after she provided the requested information the Department paid her for that week in a payment issued October 23, 2015. Consequently, there was no need for the claimant to pursue her appeal of this issue.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

**DECISION:**

The decision of the representative dated October 12, 2015, 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. Benefits are allowed, provided the claimant is otherwise eligible.

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Julie Elder  
Administrative Law Judge

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Decision Dated and Mailed

je/pjs