

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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

**LISA M WILLIAMS**

Claimant

**APPEAL NO: 19A-UI-02136-JE-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**ST LUKES/JONES REGIONAL MEDICAL**

Employer

**OC: 01/13/19**

**Claimant: Respondent (6)**

Section 96.4-3 – Able and Available  
871 IAC 26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from a representative's decision dated February 28, 2019, reference 04. That decision was amended by reference 05 which denied benefits to the claimant. A hearing was scheduled for March 27, 2019. Prior to the hearing being held, the employer requested the appeal be withdrawn as the amended decision eliminated the need for the employer to appeal.

**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The issue is whether the appeal should be withdrawn.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 because the reference 04 decision was amended by the 05 decision and the 05 decision is not adverse to the employer. The request has been submitted verbally and recorded.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 February 28, 2019, reference 04, as amended by reference 05, is reversed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative as amended shall stand and remain in full force and effect. Benefits are denied.

---

Julie Elder  
Administrative Law Judge

---

Decision Dated and Mailed

je/scn