

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**BENJAMIN T CUMMER**  
Claimant

**CASEY'S MARKETING COMPANY**  
Employer

**APPEAL 21A-UI-14372-DZ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/28/21  
Claimant: Appellant (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quit  
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

**STATEMENT OF THE CASE:**

Benjamin T Cumber, the claimant/appellant filed an appeal from the June 15, 2021, (reference 1) unemployment insurance decision that denied REGULAR unemployment insurance benefits. The parties were properly notified about the hearing. A telephone hearing was held on August 18, 2021. Mr. Cumber participated and testified. The employer did not register for the hearing and did not participate. Mr. Cumber withdrew his appeal on the record.

**ISSUE:**

Should Mr. Cumber's request to withdraw his appeal be granted?

**FINDINGS OF FACT:**

Mr. Cumber's requested to withdraw his appeal on the record during the hearing on August 18, 2021.

Mr. Cumber was approved for Pandemic Unemployment Assistance (PUA) benefits effective March 28, 2021. Mr. Cumber's PUA eligibility ended on June 12, 2021 because Governor Reynolds ended Iowa's participation in the PUA program as of that date.

**REASONING AND CONCLUSIONS OF LAW:**

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, Mr. Cumber's request to withdraw his appeal should be approved.

**DECISION:**

Mr. Cummer's request to withdraw his appeal of the June 15, 2021 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



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Daniel Zeno  
Administrative Law Judge  
Iowa Workforce Development  
Unemployment Insurance Appeals Bureau  
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August 23, 2021  
Decision Dated and Mailed

dz/mn