

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SHARRON L JACKSON-MARTIN
Claimant

APPEAL 22A-UI-00813-AR-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

REM IOWA COMMUNITY SERVICES INC
Employer

**OC: 10/10/21
Claimant: Respondent (6)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871—24.23(26) – Availability Disqualifications Same Hours and Wages
Iowa Code § 96.1A(37) – Total and Partial Unemployment
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Admin. Code r. 871—26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On December 6, 2021, the employer filed an appeal from a representative's decision dated November 24, 2021 (reference 03). A telephonic hearing was scheduled for 11:00 a.m. on February 1, 2022. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

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. The administrative law judge received the employer's written request to withdraw the appeal on January 28, 2022.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the request of the appealing party to withdraw the appeal should be granted.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 November 24, 2021 (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. The hearing scheduled for 11:00 a.m. on Tuesday, February 1, 2022, is canceled.



Alexis D. Rowe
Administrative Law Judge

February 17, 2022

Decision Dated and Mailed

ar/abd