

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CARLY BURCHFIELD

Claimant

APPEAL 21A-UI-04789-LJ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

DUBUQUE-HOLY FAMILY CATHOLIC

Employer

OC: 04/12/20

Claimant: Respondent (6)

Iowa Code § 96.19(38) – Total, Partial, and Temporary Unemployment
Iowa Code § 96.7(2)a(2) – Employer Contributions and Reimbursements
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On February 3, 2021, employer Dubuque-Holy Family Catholic filed an appeal from a representative's decision dated January 25, 2021 (reference 03). A telephonic hearing was scheduled for 1:00 p.m. on Tuesday, April 13, 2021. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.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 Wednesday, March 24, 2021.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(1) provides:

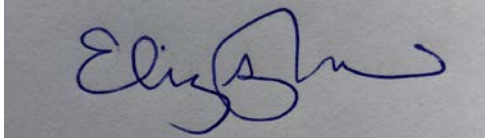
(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding 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 January 25, 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 1:00 p.m. on Tuesday, April 13, 2021, is canceled.

A handwritten signature in blue ink, appearing to read "Elizabeth Johnson", is shown on a light gray background.

Elizabeth A. Johnson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

March 25, 2021
Decision Dated and Mailed

lj/scn