

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MARIAH D CLARK**  
Claimant

**HEARTLAND EMPLOYMENT SERVICES**  
Employer

**APPEAL 17A-UI-13313-EC-T  
ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 07/23/17  
Claimant: Respondent (6)**

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Iowa Code §96.5(2)(a) – Discharge for Misconduct  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from an unemployment insurance decision dated December 13, 2017, reference 05. A telephone hearing was scheduled for January 18, 2018, at 8:00 a.m. On January 11, 2018, before the hearing date, the employer/appellant submitted a written withdrawal of its appeal. The Appeals Bureau received the withdrawal on that date. The hearing was canceled due to this appeal withdrawal.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The unemployment insurance decision issued on December 13, 2017, reference 05, determined that the claimant was eligible for benefits. On December 22, 2017, the employer appealed this decision. A telephone hearing was scheduled for this appeal on January 18, 2018, at 8:00 a.m. On January 11, 2018, the employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing, via fax, by the employer's representative. The Appeals Bureau received the withdrawal on that same date.

**REASONING AND CONCLUSIONS OF LAW:**

An appellant may submit a written request to withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1).

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The appealing party's request to withdraw its appeal of the unemployment insurance decision dated December 13, 2017, reference 05, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on January 18, 2018, at 8:00 a.m. is canceled.

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Emily Gould Chafa  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development

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Decision Dated and Mailed

ec/scn