

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DIEM NGUYEN**  
Claimant

**APPEAL 21A-UI-08066-AW-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/05/20**  
**Claimant: Appellant (6)**

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Iowa Code § 96.3(7) – Overpayment of Benefits  
Iowa Code § 96.16(4) – Offenses and Misrepresentation  
Iowa Admin. Code r. 871-25.1 – Misrepresentation & Fraud  
PL 116-136, Sec. 2102 – Pandemic Unemployment Assistance  
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

**STATEMENT OF THE CASE:**

Claimant filed an appeal from the March 9, 2021 unemployment insurance decision that found claimant was overpaid Pandemic Unemployment Assistance (PUA) benefits. The parties were properly notified of the hearing. A telephone hearing was scheduled for September 23, 2021. On the date of the hearing, the appellant submitted a written request to withdraw the appeal.

**ISSUE:**

Whether the request to withdraw the appeal should be granted.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The appealing party requested to withdraw the appeal. The request was submitted in writing and sent via e-mail on September 23, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on September 23, 2021.

**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). 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 the appeal of the March 9, 2021 decision is approved.



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Adrienne C. Williamson  
Administrative Law Judge  
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Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

September 27, 2021  
Decision Dated and Mailed

acw/mn