

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**DENNIS W STATEN  
2073 JACKSON  
DUBUQUE IA 52001**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-03722-AT  
OC: 03-07-04 R: 04  
Claimant: Appellant (6)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed a timely appeal from an unemployment insurance decision dated March 31, 2004, reference 03, which ruled that he had been overpaid \$75.00 for the week ending March 27, 2004. Due notice was issued for a telephone hearing to be held April 21, 2004. At the time of the hearing, the claimant requested that it be withdrawn.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: The claimant, the appellant in this matter, has requested that the appeal be withdrawn.

REASONING AND CONCLUSIONS OF LAW:

A rule found 871 IAC 26.8(1) allows the administrative law judge to grant an appellant's request for the withdrawal of its appeal. A review of all matters of record persuades the administrative law judge that it is appropriate to allow the withdrawal of this appeal.

DECISION:

The unemployment insurance decision dated March 31, 2004, reference 03, remains in effect. The claimant was overpaid by \$75.00 for the week ending March 27, 2004. All of the payments have been recovered. The claimant owes nothing to the Agency at this time.

tjc/b