

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

CHRISTINE M TANNER
Claimant

APPEAL 17A-UI-09520-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 08/20/17
Claimant: Appellant (6)

Iowa Code §96.4(3) – Able & Available to Work
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
Iowa Admin. Code r. 871-26.11 – Motions

STATEMENT OF THE CASE:

The claimant, Christine Tanner, filed an appeal from an unemployment insurance decision dated September 13, 2017, reference 02, which denied benefits. A telephone hearing was scheduled on October 3, 2017, at 11:00 a.m. Prior to the hearing date, the claimant/appellant submitted a written request to withdraw this appeal. The hearing was canceled due to this written appeal withdrawal.

ISSUE:

Should the request to cancel or withdraw the appeal be granted?

FINDINGS OF FACT:

The claimant, the appealing party, requested to cancel or withdraw the appeal. The request was submitted in writing and sent via email on September 22, 2017. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal on that date. The claimant stated that the issue was resolved.

The unemployment insurance decision issued on September 13, 2017, reference 02, denied benefits as of August 20, 2017, because the claimant was not able to perform work due to illness. This decision also informed the claimant that she should contact Iowa Workforce Development if her circumstances changed. The claimant provided sufficient documentation from her medical provider to remove the disqualification. A subsequent unemployment insurance decision was issued on September 20, 2017, reference 03, which allowed benefits because she submitted sufficient medical evidence that she was able to work as of September 11, 2017.

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 written withdrawal of this appeal of the unemployment insurance decision dated September 13, 2017, reference 02, is approved. The decision issued on September 20, 2017, reference 03, is affirmed.

The hearing scheduled on October 3, 2017, at 11:00 a.m. is canceled.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/rvs