

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KIMBERLY S SPICER
Claimant

APPEAL 20A-UI-14948-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ANKENY COMMUNITY SCHOOL DIST
Employer

OC: 03/15/20
Claimant: Appellant (6)

Iowa Code § 96.6(2) – Filing – Timely Appeal
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Code § 96.19(38) – Total and Partial Unemployment
Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Admin. Code r. 871-24.23(26) – Same Hours and Wages

STATEMENT OF THE CASE:

Kimberly S Spicer, the claimant/appellant, filed an appeal from the May 13, 2020 (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing was held on January 20, 2021, at 9:00 a.m. Ms. Spicer participated. The employer participated through Jessica Dirks, chief officer of human resources. Ms. Spicer withdrew her appeal on the record.

ISSUE:

Whether Ms. Spicer's request to withdraw her appeal should be granted.

FINDINGS OF FACT:

Ms. Spicer requested to withdraw her appeal on the record during the hearing on January 20, 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). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, Ms. Spicer's request to withdraw her appeal should be approved.

DECISION:

Ms. Spicer's request to withdraw her appeal of the May 13, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



Daniel Zeno
Administrative Law Judge
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Des Moines, Iowa 50319-0209
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February 5, 2021
Decision Dated and Mailed

dz/kmj