

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

---

**SUSAN M ALLARD**  
Claimant

**TRINITY REGIONAL MEDICAL CENTER**  
Employer

**APPEAL 16A-UI-11247-EC-T  
ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/18/16  
Claimant: Appellant (6)**

---

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  
Iowa Admin. Code r. 871-26.11 – Motions

**STATEMENT OF THE CASE:**

The claimant filed an appeal from an unemployment insurance decision dated October 11, 2016, reference 01. A telephone hearing was scheduled on November 28, 2016, at 9:00 a.m. Prior to the hearing date, the appellant's attorney submitted a written request to dismiss or withdraw this appeal. The hearing was canceled due to this written appeal withdrawal.

**ISSUE:**

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

**FINDINGS OF FACT:**

The claimant, the appealing party, requested to withdraw the appeal. The request was submitted in writing via fax on November 22, 2016. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal on the 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 written withdrawal of this appeal of the unemployment insurance decision dated October 11, 2016, reference 01, is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on November 28, 2016, at 9:00 a.m. is canceled.

---

Emily Gould Chafa  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development

---

Decision Dated and Mailed

ec/