

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

WHITTNEY J VIGEN
Claimant

APPEAL 17A-UI-03905-EC-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 02/26/17
Claimant: Appellant (6)

Iowa Admin. Code r. 871-24.2(1)e – Re-employment Services
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

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated March 31, 2017, reference 01. Before a hearing was scheduled, the claimant/appellant submitted a written withdrawal of his appeal. She specifically requested to cancel this appeal.

ISSUE:

Should the appeal withdrawal be approved?

FINDINGS OF FACT:

A decision was issued on March 31, 2017, reference 01, denying benefits as of 03/26/17 because the claimant failed to report for a reemployment services orientation on 03/30/17. The claimant filed an appeal via email on April 7, 2017. On April 10, 2017, the claimant, the appealing party, asked to withdraw this appeal. She submitted a written withdrawal via email on that date. The IWD Appeals Bureau received the withdrawal that day. The claimant confirmed her intentions to withdraw this appeal on April 12, 2017, via fax, from an IWD office.

The department issued an unemployment insurance decision dated April 11, 2017, reference 02, stating that the claimant participated in the reemployment services orientation and is eligible to receive unemployment insurance benefits beginning 03/26/17. This most recent decision supports the claimant's written appeal withdrawal and makes it clear that the only issue on appeal was resolved in the claimant's favor.

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 documents in the appeal file and the applicable law, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated March 31, 2017, reference 01, is approved. The decision dated April 11, 2017, reference 02, remains in full force and effect.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/