

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

BRENDA L BENSON
Claimant

APPEAL 22A-UI-11228-LJ

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 06/06/21
Claimant: Appellant (6)**

Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
PL 116-136, sec. 2104 – Federal Pandemic Unemployment Compensation
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On April 28, 2022, claimant Brenda L. Benson filed an appeal from a representative's decision dated April 26, 2022 (reference 02). An in-person hearing was scheduled in Des Moines, Iowa for 2:30 p.m. on Wednesday, July 6, 2022. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing. The administrative law judge received the claimant's emailed request to withdraw the appeal on June 28, 2022.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(1) provides:

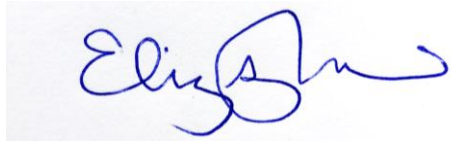
(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The decision of the representative dated April 26, 2022 (reference 02) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

The hearing scheduled in Des Moines, Iowa for 2:30 p.m. on Wednesday, July 6, 2022, is canceled.



Elizabeth A. Johnson
Administrative Law Judge

June 30, 2022
Decision Dated and Mailed

lj/lj