

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MARIAALMA G GARCIA SOTO**  
Claimant

**APPEAL 20A-UI-13113-SC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**TYSON FRESH MEATS INC**  
Employer

**OC: 06/21/20**  
**Claimant: Appellant (6)**

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Iowa Code § 96.4(3) – Able to and Available for Work  
Iowa Admin. Code r. 871-24.23(10) – Able & Available – Leave of Absence  
Iowa Code § 96.6(2) – Timeliness of Appeal  
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:**

On October 16, 2020, Maria Alma G. Garcia Soto (claimant/appellant) filed an appeal from the unemployment insurance decision dated October 5, 2020, reference 01. A hearing was scheduled for December 16, 2020. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: The appellant made a written request to withdraw the appeal.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

After review of the records and files herein, 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 October 5, 2020, reference 01, is approved, and that decision shall stand and remain in full force and effect.

A handwritten signature in black ink that reads "Stephanie R Call" with a long horizontal flourish extending to the right.

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Stephanie R. Callahan  
Administrative Law Judge

December 22, 2020  
Decision Dated and Mailed

src/scn