

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JAMES J FEVOLD
Claimant

APPEAL 18A-UI-11800-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 11/25/18
Claimant: Appellant (6)

Iowa Code §96.4(4) – Monetary Eligibility
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, James Fevold, filed an appeal from an unemployment insurance decision dated December 5, 2018, reference 01, which denied benefits. A telephone hearing was scheduled on December 26, 2018 at 10:00 a.m. Prior to the hearing date, the claimant/appellant submitted a written request to withdraw this appeal. The hearing was canceled due to this written appeal withdrawal.

ISSUE:

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

FINDINGS OF FACT:

The claimant, the appealing party, requested to withdraw his appeal. The request was submitted in writing and sent via email on December 13, 2018. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal on that date. The claimant stated that he did not need the appeal.

The unemployment insurance decision issued on December 5, 2018, reference 01, disqualified the claimant from benefits effective 11/25/18 because the claimant was not paid insured wages of at least eight times his weekly benefits amount during or after his previous benefit year. Another decision was issued on December 12, 2018, reference 02, which determined that the claimant was paid sufficient wages and is eligible for benefits effective 11/25/2018. This decision resolved the only issue on this appeal.

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 December 5, 2018, reference 01, is approved. The decision issued on December 12, 2018, reference 02, remains in effect.

The hearing scheduled on December 26, 2018, at 10:00 a.m. is canceled.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

ec/rvs