

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TIMOTHY S CRABTREE
Claimant

JM LAWN & LANDSCAPE LLC
Employer

APPEAL 19A-UI-10280-AD-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 11/24/19
Claimant: Respondent (6)

Iowa Code § 96.5(5)a, b – Payment – Severance pay, disability, pension
Iowa Code § 96.5(7)a-e – Payment – Vacation pay
Iowa Admin. Code r. 871-24.18 – Wage earnings limitation
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

On December 27, 2019, JM Lawn & Landscape LLC (employer/appellant) filed an appeal from the December 23, 2019 (reference 03) unemployment insurance decision that determined Timothy Crabtree (claimant/respondent) was eligible to receive unemployment insurance benefits for the two weeks ending December 14, 2019.

A telephone hearing is scheduled for January 22, 2020 at 1:05 p.m. The parties were properly notified of the hearing. Prior to the hearing date, the appellant submitted a written request to withdraw the appeal.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The appealing party requested to withdraw the appeal. The request was submitted in writing and sent via fax on January 15, 2020. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on that same date.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an 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 request to withdraw the appeal of the December 23, 2019 (reference 03) unemployment insurance decision is APPROVED. That decision shall stand and remain in full force and effect.

The hearing scheduled for January 22, 2020, at 1:05 p.m. is CANCELLED.

Andrew B. Duffelmeyer
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515) 478-3528

Decision Dated and Mailed

abd/scn