

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DIANNE HUFSTEDLER**  
Claimant

**EXPRESS SERVICES INC**  
Employer

**APPEAL 20A-UI-14109-S2-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 07/19/20**  
**Claimant: Respondent (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the October 28, 2020, (reference 01) unemployment insurance decision that allowed benefits. A telephone hearing was scheduled for January 6, 2020 at 1:00 p.m. Prior to the scheduled hearing date, the appellant submitted a written request to withdraw the appeal.

**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: The appealing party requested to withdraw the appeal. The request was submitted in writing and was verified by the appellant.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the request to withdraw the appeal is granted.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.


An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The appellant/employer has made a request in writing to withdraw the appeal. The administrative law judge has reviewed the record and concludes that the request of the appeal 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 29, 2020, (reference 01) that found claimant was eligible for benefits shall stand and remain in full force and effect.

The hearing scheduled on January 6, 2020, at 1:00 p.m. is canceled.



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Stephanie Adkisson  
Administrative Law Judge  
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Fax (515)478-3528

January 19, 2021  
Decision Dated and Mailed

sa/bd