

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**ANJELICIA MARTINEZ**  
Claimant

**AEROTEK INC**  
Employer

**APPEAL 19A-UI-07912-AW-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/01/19**  
**Claimant: Respondent (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct  
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) – Withdrawals

**STATEMENT OF THE CASE:**

Employer/appellant filed an appeal from the October 1, 2019 (reference 02) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for October 30, 2019, at 11:00 a.m. 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 facsimile on October 24, 2019. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on October 24, 2019.

**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 October 1, 2019 (reference 02) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for October 30, 2019, at 11:00 a.m. is cancelled.

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Adrienne C. Williamson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
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Decision Dated and Mailed

acw/scn