

IOWA DEPARTMENT OF INSPECTIONS & APPEALS
Division of Administrative Hearings
Wallace State Office Building
Des Moines, Iowa 50319

Appeal Number: 14IWDUI147
OC: 05/21/13
Claimant: Appellant (6)

DECISION OF THE ADMINISTRATIVE LAW JUDGE

EMON A. HENDERSON
2368 MCKINLEY AVENUE
DAVENPORT, IA 52722

IOWA WORKFORCE DEVELOPMENT
JONATHAN LINNENBRINK,
INVESTIGATIONS AND RECOVERY

TERESA K HILLARY, IWD
JONI BENSON, IWD

This Decision Shall Become Final, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the Department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

(Administrative Law Judge)

June 30, 2014

(Dated and Mailed)

871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE

Iowa Workforce Development (“IWD”) issued a decision on May 5, 2014, finding that the Appellant, Emon Henderson, was overpaid on his unemployment insurance benefits claim, because he incorrectly or failed to report earnings from SDH Education West LLC for three weeks between 05/12/13 and 08/24/13. The net overpayment amount is \$585. Mr. Henderson submitted a letter, on May 19, 2014, appealing from that decision.

IWD transferred the case to the Administrative Hearings Division on May 22, 2014 to schedule a contested case hearing. A telephone hearing was scheduled for Friday, July 18, 2014 at 8:30 am. On June 30, 2014, I spoke with Emon Henderson, the Appellant, and Jonathan Linnenbrink, the IWD investigator, via telephone conference call. During that call, Mr. Henderson withdrew his appeal on the record. IWD's rules allow an appellant to withdraw an appeal at any time prior to the issuance of a decision, with the approval of the administrative law judge.¹ The Appellant's request to withdraw the appeal is granted.

DECISION

Emon Henderson's request to withdraw the appeal is granted. This matter is deemed WITHDRAWN. The hearing scheduled for July 18, 2014 at 8:30 am is canceled.

egc

¹ 871 IAC 26.8(1).