

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SCOTT C DAVIS

Claimant

APPEAL 17A-UI-03871-NM-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

ELMWOOD COUNTRY CLUB

Employer

OC: 02/26/17

Claimant: Respondent (6)

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Code § 96.19(38) b – Partial Unemployment
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from the March 28, 2017, (reference 01) unemployment insurance decision that allowed benefits. A telephone hearing was scheduled for May 3, 2017 at 2:00 p.m. Prior to the scheduled hearing date, the appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge 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:

871 IAC 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

The administrative law judge reviewed the records and files herein and concludes that the request of the appealing 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 March 28, (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on May 3, 2017, at 2:00 p.m. is canceled.

Nicole Merrill
Administrative Law Judge

Decision Dated and Mailed

nm/rvs