

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

SUSAN M CHAPMAN
Claimant

APPEAL NO: 13A-UI-04613-DT

**ADMINISTRATIVE LAW JUDGE
DECISION**

NORTHWEST DIRECT OF IOWA INC
Employer

**OC: 03/17/13
Claimant: Appellant (6)**

871 IAC 26.8(1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated April 8, 2013 (reference 01). A hearing was scheduled for May 28, 2013. At the time for the hearing but in lieu of the hearing being held, the appellant requested the appeal be withdrawn. Therefore, there is no need for a hearing. Based on a review of the administrative file and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

ISSUE:

Should the appellant's request to withdraw the appeal be granted?

FINDINGS OF FACT:

A request has been made by Susan M. Chapman (claimant), the appealing party, to withdraw the appeal. The representative's decision had denied the claimant's request to have her claim designated as due to a business closure to be eligible for the additional 13 weeks of unemployment insurance benefits, in addition to the normal 26 weeks of benefits. The claimant did not realize that the decision did not jeopardize her normal 26 weeks of benefits, including the three weeks for which she has filed and received. The claimant agrees that as she is no longer unemployed, the issue as to the additional weeks of benefit eligibility is moot.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 request of the appealing party to withdraw the appeal should be approved.

DECISION:

The decision of the representative dated April 8, 2013 (reference 01) is affirmed. The request of the appealing party to withdraw the appeal is approved, and there will be no hearing. The decision of the representative shall stand and remain in full force and effect. The claimant is entitled to receive the normal 26 weeks of unemployment insurance benefits, provided she is otherwise eligible.

Lynette A. F. Donner
Administrative Law Judge

Decision Dated and Mailed

ld/pjs