

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SUSAN K SIVITS

Claimant

WAL-MART STORES INC

Employer

APPEAL 16A-UI-11889-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 10/09/16

Claimant: Respondent (6)

Iowa Code §96.5(2)(a) – Discharge for Misconduct
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The employer filed an appeal from an unemployment insurance decision dated October 24, 2016 (reference 01). A telephone hearing was scheduled for November 17, 2016 at 1:00 p.m. The employer/appellant requested the appeal be withdrawn. The withdrawal was submitted in writing.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The unemployment insurance decision issued on October 24, 2016 (reference 01) determined that the claimant was eligible for benefits. The employer appealed this decision. A hearing was scheduled on this appeal on November 17, 2016 at 1:00 p.m.

The employer, the appealing party, requested to withdraw the appeal. The request was submitted in writing.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). The request to withdraw the appeal was in writing.

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 request of the appealing party to withdraw the appeal of the unemployment insurance decision dated October 24, 2016 (reference 01) is granted. That decision shall stand and remain in full force and effect.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

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