

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MARK A HALDA**  
Claimant

**PRAIRIE MEADOWS  
RACETRACK & CASINO**  
Employer

**APPEAL 16A-UI-11589-EC-T  
ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/02/16  
Claimant: Respondent (6)**

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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 19, 2016, reference 01. A telephone hearing was scheduled for November 10, 2016, at 10:00 a.m. On the morning of the hearing date, the employer/appellant submitted a written request that the appeal be canceled. The withdrawal was submitted in writing. The hearing was canceled. The parties were notified.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The unemployment insurance decision issued on October 19, 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 10, 2016, at 10:00 a.m. On November 1, 2016, the employer contacted the IWD UISC and communicated its intention to cancel its appeal via telephone. On November 10, shortly before the hearing, the employer, the appealing party, confirmed its intention to withdraw or cancel this appeal. The request was submitted in writing on November 10, 2016, at 9:36 a.m.

**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).

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 19, 2016, reference 01, is approved. That decision shall stand and remain in full force and effect. The hearing scheduled on November 10, 2016, at 10:00 a.m. is canceled.

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Emily Gould Chafa  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development

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Decision Dated and Mailed

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