

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**TANNER D HEDSTRAND**  
Claimant

**HY-VEE INC**  
Employer

**APPEAL 21A-UI-02957-LJ-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/28/20**  
**Claimant: Appellant (6)**

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Iowa Code § 96.4(3) – Ability to and Availability for Work  
Iowa Code § 96.19(38) – Total, Partial, and Temporary Unemployment  
Iowa Code § 96.6(2) – Timeliness of Appeal  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

On January 13, 2021, claimant Tanner D. Hedstrand filed an appeal from a representative's decision dated December 30, 2020 (reference 02). A telephonic hearing was scheduled for 9:00 a.m. on Friday, March 12, 2021. Prior to the hearing being held, the appellant, Tanner D. Hedstrand, requested the appeal be withdrawn.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted orally during the hearing. The administrative law judge received claimant/appellant Tanner D. Hedstrand's oral request to withdraw the appeal on March 12, 2021.

During testimony, claimant Tanner D. Hedstrand explained that he was not intending to reopen his claim in October 2020. Rather, he was trying to appeal the June 28, 2020 (reference 01) decision that had found him ineligible for benefits for late June and early July 2020. Claimant did not file any weekly continued claims for benefits after reopening his claim in October 2020 and is not seeking any benefits for that period. After having the full situation explained to him, claimant opted to withdraw his appeal.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-26.8(1) provides:

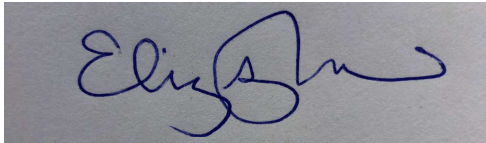
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to

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 has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of the representative dated December 30, 2020 (reference 02) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be "Elizabeth A. Johnson" written in a cursive style.

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Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

March 16, 2021  
Decision Dated and Mailed

lj/kmj