

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KELLY R CUMMINGS
Claimant

CARE INITIATIVES
Employer

APPEAL 20A-UI-05275-AD-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/23/19
Claimant: Respondent (6)

Iowa Code § 96.4(3) – Eligibility – A&A – Able to, available for, work search
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Employer/appellant filed an appeal from the May 26, 2020 (reference 04) unemployment insurance decision that allowed benefits.

A telephone hearing was set for July 6, 2020. Claimant participated by Attorney Nathaniel Staudt. Employer participated by Hearing Representative Alyce Smolsky. Before evidence was taken, appellant withdrew its appeal on the record.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

The appellant requested to withdraw the appeal on the record during the hearing.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

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 appealing party's request to withdraw the appeal of the May 26, 2020 (reference 04) unemployment insurance decision is APPROVED. That decision shall stand and remain in full force and effect.



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

July 13, 2020
Decision Dated and Mailed

abd/scn