

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TIMOTHY HOUTCHENS
Claimant

CITY OF GARRISON
Employer

APPEAL 21A-UI-08979-DZ-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 04/12/20
Claimant: Respondent (6)

Iowa Code § 96.6(2) – Timely Appeal
Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quit
Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

City of Garrison, the employer/appellant, filed an appeal from the March 19, 2021 (reference 05) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for June 15, 2021 at 10:00 a.m. Prior to the hearing date, the employer submitted a written request to withdraw the appeal.

ISSUE:

Should the employer's request to withdraw its appeal be granted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer requested to withdraw its appeal. The request was submitted in writing and sent via letter postmarked on May 28, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on June 1, 2021.

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). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the employer's request to withdraw its appeal should be approved.

DECISION:

The employer's request to withdraw its appeal of the March 19, 2021 (reference 05) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for June 15, 2021 at 10:00 a.m. is cancelled.



Daniel Zeno
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

June 14, 2021
Decision Dated and Mailed

dz/mh