

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DAVID E OVERMANN**  
Claimant

**DEERE & COMPANY**  
Employer

**APPEAL 19A-UI-09616-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/28/18  
Claimant: Appellant (6)**

Iowa Code § 96.5(7) – Receipt of Vacation Pay/PTO  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
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:**

An appeal was filed from an unemployment insurance decision dated November 27, 2019 (reference 01). A hearing was scheduled for January 3, 2019. Prior to the hearing being held, the appellant requested the appeal be withdrawn.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. 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 request of the appealing party to withdraw the appeal of the unemployment insurance decision dated November 27, 2019 (reference 01), is approved, and that decision shall stand and remain in full force and effect.



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

December 30, 2019  
Decision Dated and Mailed

cal/rvs