

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ANTHONY E MELLO
Claimant

IOWA WORKFORCE DEVELOPMENT
Employer

APPEAL NO. 21A-UI-23641-B2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 02/07/21
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Code § 96.3(7) – Overpayment of Benefits
Iowa Code § 96.16(4) – Offenses and Misrepresentation
Iowa Admin. Code r. 871-25.1 – Misrepresentation & Fraud

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated October 13, 2021, reference 05. A hearing was scheduled for February 4, 2022. Prior to the hearing being held, appellant requested the appeal be withdrawn.

ISSUE:

The issue is whether the appeal should be withdrawn.

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 via email indicating that a settlement had been reached.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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.

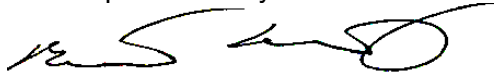
An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

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.

No hearing shall be held in this matter.

DECISION:

The decision of the representative dated October 12, 2021, reference 05, is affirmed. The request of the appealing party to withdraw the appeal is approved, and the agreement between the parties shall stand and remain in full force and effect. The hearing set for February 4, 2022 at 2:20 pm is hereby cancelled.



Blair A. Bennett
Administrative Law Judge

February 15th, 2022
Decision Dated and Mailed

bab/rs