

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SASCHA L DIOTTE
Claimant

APPEAL 16A-UI-01189-EC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/06/15
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-24.2(1)e – Re-employment Services
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 January 26, 2016 (reference 01). Before a hearing was scheduled, the claimant/appellant submitted a written withdrawal of her appeal. She specifically requested that the appeal be canceled.

ISSUE:

Should the appeal withdrawal be approved?

FINDINGS OF FACT:

A decision was issued on January 26, 2016, denying benefits as of January 24, 2016 because the claimant failed to report for a reemployment and eligibility assessment on January 25, 2016. The claimant filed an appeal online on January 30, 2016. On February 3, 2016, the claimant (the appealing party) requested to cancel this appeal. The claimant/appellant submitted a written withdrawal via fax on February 3, 2016. The IWD Appeals Section received the withdrawal the same day.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

Based on the documents in the appeal file and the applicable law, the request of the appealing party to withdraw or cancel the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated January 26, 2016 (reference 01) is approved.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau

Decision Dated and Mailed

ec/can