

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JERROD J TONEY**

Claimant

**APPEAL 20A-UI-07064-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**FAREWAY STORES INC**

Employer

**OC: 04/05/20**

**Claimant: Appellant (6)**

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Iowa Code § 96.4(3) – Able and Available  
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:**

On June 26, 2020, the claimant appealed the unemployment insurance decision dated May 22, 2020 (reference 01) that denied REGULAR unemployment insurance benefits. A hearing was scheduled for August 3, 2020. Prior to the hearing being held, the claimant requested to withdraw the appeal.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: Claimant has requested to withdraw the appeal of the decision that denied REGULAR unemployment insurance benefits. Claimant submitted the request 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 and concludes that claimant's request to withdraw the appeal should be approved.

**DECISION:**

Claimant's request to withdraw the appeal of the unemployment insurance decision dated May 22, 2020, (reference 01), that denied REGULAR unemployment insurance benefits, is approved. The decision denying claimant benefits 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

August 7, 2020

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Decision Dated and Mailed

cal/rr

**NOTE TO CLAIMANT:**

- This decision determines you are not eligible for REGULAR unemployment insurance benefits under state law. If you disagree with this decision you may file an appeal to the Employment Appeal Board by following the instructions on the first page of this decision.
- If you do not qualify for regular unemployment insurance benefits under state law and are currently unemployed for reasons related to COVID-19, you may qualify for Pandemic Unemployment Assistance (PUA). **If you have applied and have been approved for PUA benefits, this decision will NOT negatively affect your entitlement to PUA benefits.**