

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**BILLIE J PAYNE**  
Claimant

**BULL MOOSE HEAVY HAUL INC**  
Employer

**APPEAL 20A-UI-09781-CL-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/12/20**  
**Claimant: Appellant (6)**

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Iowa Code § 96.4(3) – Ability to and Availability for Work  
Iowa Admin. Code r. 871-24.23(10) – Able & Available – Availability Disqualifications  
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 August 18, 2020, the claimant filed an appeal from the August 13, 2020, (reference 02) unemployment insurance decision that denied benefits. The parties were properly notified about the hearing. A telephone hearing was scheduled for September 30, 2020. Before the hearing began and before a decision was issued, claimant withdrew 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 benefits from July 12, 2020, through August 8, 2020. Claimant submitted the request verbally and it was recorded by the administrative law judge.

**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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 August 13, 2020, (reference 02), is approved. The decision denying claimant benefits from July 12, 2020, through August 8, 2020, shall stand and remain in full force and effect.



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Christine A. Louis  
Administrative Law Judge  
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October 1, 2020  
Decision Dated and Mailed

cal/sam