

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

JOY E OSBORN
Claimant

APPEAL 22A-UI-00824-AR-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/05/20
Claimant: Appellant (6)

PL 116-136, Sec. 2104(f)(2)—Overpayment of Federal Pandemic Unemployment Compensation
Iowa Admin. Code r. 871—26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On December 13, 2021, claimant, Joy E. Osborn, filed an appeal from a representative's decision dated December 6, 2021, (reference 02), that determined claimant was overpaid Federal Pandemic Unemployment Compensation (FPUC) benefits in the amount of \$600.00 for the one-week period ending July 11, 2020. A telephonic hearing was scheduled for 11:05 a.m. on February 2, 2022, to be consolidated with the hearing for appeal number 22A-UI-00823-AR-T. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

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 in writing. The administrative law judge received the claimant's written request to withdraw the appeal on January 25, 2022.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the request to withdraw the appeal is granted.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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

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 decision of the representative dated December 6, 2021 (reference 02) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. The hearing scheduled for 11:05 a.m. on Wednesday, February 2, 2022, is canceled.



Alexis D. Rowe
Administrative Law Judge

February 11, 2022

Decision Dated and Mailed

ar/kmj