

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MARICELA MARAVILLA-ORDAZ
Claimant

SWIFT PORK COMPANY
Employer

APPEAL 20A-UI-10654-AW-T
ADMINISTRATIVE LAW JUDGE
DECISION

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

Iowa Code § 96.19(38) – Definitions – Total, partial unemployment
Iowa Code § 96.4(3) – Eligibility – A&A – Able to, available for, work search
Iowa Code § 96.7(2)A(2) – Charges – Same base period employment
Iowa Admin. Code r. 871-24.23(26) – Eligibility – A&A – Part-time same hours, wages
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation
Iowa Code § 96.6(2) – Filing – Timely Appeal
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Employer filed an appeal from the July 23, 2020 (reference 01) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for October 20, 2020, at 11:00 a.m. Prior to the hearing date, the appellant submitted a written request to withdraw the appeal.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The appealing party requested to withdraw the appeal. The request was submitted in writing and sent via facsimile on October 6, 2020. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on October 6, 2020.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the July 23, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for October 20, 2020, at 11:00 a.m. is cancelled.



Adrienne C. Williamson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

October 9, 2020
Decision Dated and Mailed

acw/sam