

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

PATRICIA A KRIVACHEK
Claimant

APPEAL 20A-UI-05315-CL-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

KWIK TRIP INC
Employer

OC: 03/22/20
Claimant: Appellant (6)

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 § 96.3(7) – Recovery of Benefit Overpayment
PL 116-136, Sec. 2104(b) – Federal Pandemic Unemployment Compensation
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 4, 2020, the claimant appealed the unemployment insurance decision dated May 27, 2020 (reference 01) that denied regular, state-funded unemployment insurance benefits. A hearing was scheduled for July 8. 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, state-funded 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 27, 2020, (reference 01), that denied regular, state-funded unemployment insurance benefits, is approved. The decision denying claimant regular, state funded unemployment benefits shall stand and remain in full force and effect.



Christine A. Louis
Administrative Law Judge
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July 16, 2020
Decision Dated and Mailed

cal/sam