

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LARS A VINZ
Claimant

APPEAL 18A-UI-07016-JC

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 09/24/17
Claimant: Appellant (6)

Iowa Code §96.5(8) – Administrative Penalty
Iowa Admin. Code r. 871-25.9- Administrative Penalty
Iowa Code §96.4(3) – Unemployment Insurance Benefits Eligibility
Iowa Admin. Code r. 871-25.1 – Misrepresentation & Fraud
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:

The claimant/appellant, Lars H. Vinz, filed an appeal from the June 18, 2018, (reference 08), Iowa Workforce Development (“IWD”) unemployment insurance decision which concluded he was ineligible to receive unemployment insurance benefits from June 10, 2018 through September 22, 2018, because he made false statements concerning his employment and earnings from September 28, 2014 through October 27, 2017. The disqualification was imposed through administrative penalty.

A hearing was scheduled for August 1, 2018. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.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.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or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.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

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.

The scheduled hearing for August 1, 2018 is canceled.

DECISION:

The decision of the representative dated June 18, 2018, (reference 08), 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.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/rvs