

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JEFFERY S LINN**  
Claimant

**RJ THOMAS MFG CO INC**  
Employer

**APPEAL 21A-UI-00350-CL-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/20/20**  
**Claimant: Appellant (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
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 December 4, 2020, the claimant appealed the unemployment insurance decision dated December 1, 2020 (reference 01) that denied REGULAR unemployment insurance benefits. A hearing was scheduled for February 5, 2021. 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 claimant REGULAR unemployment insurance benefits. In a separate decision, claimant was approved for Pandemic Unemployment Assistance benefits that are federally funded and not chargeable to employer. 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 December 1, 2020, (reference 01), that denies REGULAR unemployment insurance benefits, is approved. The decision denying claimant REGULAR unemployment insurance benefits shall stand and remain in full force and effect. This decision will not negatively affect the decision granting claimant Pandemic Unemployment Assistance (federally funded) benefits.



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Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
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Des Moines, Iowa 50319-0209  
Fax (515)478-3528

February 17, 2021  
Decision Dated and Mailed

cal/lj