

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CATHY S DIXON**  
Claimant

**APPEAL 21A-UI-18714-DH-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/28/21  
Claimant: Appellant (6)**

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Iowa Code § 96.4(3) - Eligibility - A&A - Able to and Available/Active Search  
Iowa Admin. Code r. 871-24.22(3) - Earnest and Active Search for Work  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Claimant/Appellant, Cathy Dixon, filed an appeal on August 25, 2021 from the representative's decision dated August 16, 2021 (reference 05) that found claimant not eligible for benefits from July 25, 2021 through July 31, 2021 due to not making an adequate work search and earlier being warned. A hearing was scheduled for October 15, 2021. Prior to the hearing being held, the appellant requested the appeal be withdrawn. The request was received October 12, 2021.

**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 to the Appeals Bureau on October 12, 2021.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 appellant has made a request in writing to withdraw the appeal. The administrative law judge has reviewed the record and concludes that the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of the representative dated August 16, 2021 (reference 05) shall stand and remain in full force and effect. The request of the appealing party to withdraw the appeal is approved and the hearing scheduled for October 15, 2021 is cancelled.



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Darrin T. Hamilton  
Administrative Law Judge

October 18, 2021  
Decision Dated and Mailed

dh/kmj