

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TYRISHA L DAVIS
Claimant

APPEAL 17A-UI-04736-NM

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 10/23/16
Claimant: Appellant (6)

Iowa Code § 96.6(2) – Timeliness of Appeal
Iowa Code § 96.3(5)b – Training Extension Benefits
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed an appeal from the April 4, 2017, (reference 03) unemployment insurance decision that denied her request for training extension benefits. A hearing was scheduled for June 13, 2017 in Des Moines, Iowa. At the time of the scheduled hearing, the appellant requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: The appealing party requested to withdraw the appeal. The request was made on the record at the time of the scheduled hearing by the appellant. The appellant indicated that she had never intended to appeal the April 4, 2017 (reference 03) decision and wished for the appeal to be withdrawn.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated April 4, (reference 03) is approved. That decision shall stand and remain in full force and effect.

Nicole Merrill
Administrative Law Judge

Decision Dated and Mailed

nm/rvs