

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**DEVAN A FOX**  
Claimant

**QUATRO COMPOSITES LLC**  
Employer

**APPEAL 21A-UI-03731-S2-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 03/29/20**  
**Claimant: Appellant (6)**

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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 § 96.6(2) – Timeliness of Appeal  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the January 13, 2021, (reference 01) unemployment insurance decision that allowed benefits based upon a layoff. A telephone hearing was scheduled for March 30, 2021 at 1:00 p.m. Prior to the scheduled hearing date, the appellant requested the appeal be withdrawn.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 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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.

**DECISION:**

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated January 13, 2021, (reference 01) is approved. That decision shall stand and remain in full force and effect.

**The hearing scheduled on March 30, 2021, at 1:00 p.m. is canceled.**



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Stephanie Adkisson  
Administrative Law Judge  
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Des Moines, Iowa 50319-0209  
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March 29, 2021  
Decision Dated and Mailed

sa/kmj