

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

ALAN H LANGHAM
Claimant

APPEAL 15A-UI-13240-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 03/22/15
Claimant: Appellant (6)

Iowa Code § 96.3(7) – Overpayment
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:

An appeal was filed from an unemployment insurance decision dated October 26, 2015 (reference 05). Before a hearing was scheduled in the matter, the claimant/appellant withdrew this appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: A decision was issued on October 26, 2015, reference 05, assessing an overpayment in the amount of \$210 for one week between August 16, 2015 and August 22, 2015, because the claimant failed to report wages earned with Monson & Sons Inc. The claimant, Alan Langham, submitted an appeal on December 2, 2015. On December 10, 2015, another decision was issued (reference 07), which reduced his overpayment to zero. On December 9, 2015, before a hearing was scheduled, he submitted a written withdrawal of this appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. 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 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 October 26, 2015, (reference 05) is approved. The decision issued on December 10, 2015, (reference 07), shall stand and remain in full force and effect.

Emily Gould Chafa
Administrative Law Judge
Unemployment Insurance Appeals Bureau
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Decision Dated and Mailed

ec/css