

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KRISTY ESCOBAR
Claimant

KWIK TRIP INC
Employer

APPEAL 20A-UI-15359-DZ-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/20
Claimant: Appellant (6)

Iowa Code § 96.19(38) – Total and Partial Unemployment
Iowa Admin. Code r. 871-24.23(26) – Same Hours and Wages
Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Code § 96.6(2) – Filing – Timely Appeal
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Kristy Escobar, the claimant/appellant, filed an appeal from the May 15, 2020, (reference 01) unemployment insurance decision that denied regular unemployment insurance benefits. The parties were properly notified of the hearing. A telephone hearing was held on January 20, 2021, at 8:00 a.m. Ms. Escobar participated. The employer did not participate. Ms. Escobar withdrew her appeal on the record.

ISSUE:

Whether Ms. Escobar's request to withdraw her appeal should be granted.

FINDINGS OF FACT:

Ms. Escobar requested to withdraw her appeal on the record during the hearing on January 20, 2021.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). An oral request must be tape-recorded by the presiding officer. *Id.*

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, Ms. Escobar's request to withdraw her appeal should be approved.

DECISION:

Ms. Escobar's request to withdraw her appeal of the May 15, 2020 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.



Daniel Zeno
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
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Des Moines, Iowa 50319-0209
Fax 515-478-3528

February 5, 2021
Decision Dated and Mailed

dz/scn