

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANTAYSIA S BROOKS
Claimant

APPEAL 17A-UI-09093-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 04/30/17
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-24.2(1)e – Re-employment Services
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:

The claimant/appellant, Antaysia S. Brooks, filed an appeal from an unemployment insurance decision dated August 28, 2017 (reference 05). A telephone hearing was scheduled on September 25, 2017, at 2:00 p.m. During the hearing, the claimant/appellant requested to withdraw her appeal. No hearing was held due to the claimant's withdrawal of her appeal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The appellant requested to withdraw her appeal. Claimant submitted the request verbally on September 25, 2017 at the time set for hearing to the Administrative Law Judge. No hearing was held due to claimant's request to withdraw her appeal.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a request to withdraw his or her appeal at any time prior to the issuance of a decision.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal is approved and no hearing was held on September 25, 2017.

DECISION:

The claimant/appellant's withdrawal of her appeal of the unemployment insurance decision dated August 28, 2017 (reference 05) is approved. That decision shall stand and remain in full force and effect. The hearing scheduled for September 25, 2017, at 2:00 p.m. was canceled.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

db/rvs