

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**SHARLA K KOMMES**  
Claimant

**APPEAL 21A-UI-12254-NM-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 03/28/21  
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Able and Available/Work Search  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the May 5, 2021, (reference 01) unemployment insurance decision that warned claimant to make and keep a record of at least two work-search contacts per week but did not deny benefits. Prior to a hearing being scheduled, the appellant requested the appeal be withdrawn.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 and was verified by the appellant.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 May 5, 2021, (reference 01) is approved. That decision shall stand and remain in full force and effect. No hearing will be scheduled.



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Nicole Merrill  
Chief Administrative Law Judge

June 28, 2021  
Decision Dated and Mailed

nm/scn