

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

**TARA V NOLAN**  
Claimant

**APPEAL NO. 18A-UI-11738-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 10/21/18**  
**Claimant: Appellant (6)**

Iowa Code Section 96.3(7) - Overpayment  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

Tara Nolan filed a timely appeal from the November 27, 2018, reference 03, decision that held she was overpaid \$1,673.00 in benefits for four weeks between October 21, 2018 and November 17, 2018, based on an earlier decision that disqualified her for benefits in connection with a discharge from employer Schafer Fisheries Iowa, Inc. A hearing was scheduled for December 20, 2018. Ms. Nolan and her attorney were appropriately notified. At Ms. Nolan's counsel's request, the hearing was rescheduled by agreement to December 21, 2018. The hearing in this matter was consolidated with the hearing in Appeal Number 18A-UI-11737-JTT. Ms. Nolan appeared at the time of hearing with her attorney, Curtis Dial. Prior to the presentation of evidence, Ms. Nolan and Mr. Dial requested to withdraw the appeal.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 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 administrative file, has confirmed on the record that Ms. Nolan's request to withdraw her appeal is knowingly and voluntarily made, and concludes that Ms. Nolan's request to withdraw her appeal should be approved.

**DECISION:**

The claimant's request to withdraw the appeal is approved. The November 27, 2018, reference 03, decision that held the claimant was overpaid \$1,673.00 in benefits for four weeks between October 21, 2018 and November 17, 2018, based on an earlier decision that disqualified her for benefits in connection with a discharge from employer Schafer Fisheries Iowa, Inc., shall remain in effect.

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James E. Timberland  
Administrative Law Judge

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Decision Dated and Mailed

jet/rvs