

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DAVID S HURKIN
Claimant

APPEAL 21A-UI-15919-DZ-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

WEST DES MOINES COMMUNITY SCH DIS
Employer

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

Iowa Code § 96.6(2) – Timely Appeal
Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Code § 96.1A(37) – Total and Partial Unemployment
Iowa Code § 96.7(2)a(2) – Same Base Period Employment
Iowa Admin. Code r. 871-24.23(26) – Same Hours and Wages
Iowa Admin. Code r. 871-24.22 – Benefit Eligibility Conditions
Iowa Admin. Code r. 871-24.52 – Determining Eligibility of School Claims After Employer Protest
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

David S Hurkin, the claimant/appellant, filed an appeal from the June 11, 2021 (reference 01) unemployment insurance decision that denied benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for September 8, 2021 at 1:00 p.m. Prior to the hearing date, Mr. Hurkin submitted a written request to withdraw the appeal.

ISSUE:

Should Mr. Hurkin's request to withdraw his appeal be granted?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: Mr. Hurkin requested to withdraw the appeal. The request was submitted in writing and sent via email on August 26, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on August 26, 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). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, Mr. Hurkin's request to withdraw his appeal should be approved.

DECISION:

Mr. Hurkin's request to withdraw his appeal of the June 11, 2021 (reference 01) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for September 8, 2021 at 1:00 p.m. is cancelled.



Daniel Zeno
Administrative Law Judge
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Unemployment Insurance Appeals Bureau
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Fax (515)478-3528

August 31, 2021
Decision Dated and Mailed

dz/mn