

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JEREMIAH J BRUNK
Claimant

INDUSTRIAL STEEL ERECTORS INC
Employer

APPEAL 22A-UI-08852-S2-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 06/28/20
Claimant: Appellant (6)

Iowa Code § 96.3-7 - Recovery of Overpayment of Benefits
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant Jeremiah J. Brunk filed an appeal from the March 30, 2022, (reference 01) unemployment insurance decision that determined claimant was overpaid benefits. A telephone hearing was scheduled for May 19, 2022, at 3:00 p.m. Prior to the scheduled hearing date, the appellant requested the appeal be withdrawn.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 sent by email on May 10, 2022.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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

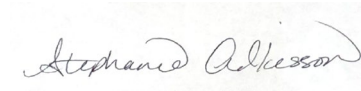
An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated March 30, 2022, (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on May 19, 2022, at 3:00 p.m. is canceled.



Stephanie Adkisson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

May 11, 2022
Decision Dated and Mailed

sa/scn