

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DEBRA J HENNIGAR
Claimant

CENTRAL AVENUE HEALTHCARE INC
Employer

APPEAL 19A-UI-09826-AD-T
ADMINISTRATIVE LAW JUDGE
DECISION

OC: 11/10/19
Claimant: Respondent (6)

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

On December 12, 2019, Central Avenue Healthcare Inc. (employer/appellant) filed an appeal from the December 5, 2019 (reference 01) unemployment insurance decision that allowed benefits.

A telephone hearing is scheduled for January 9, 2020 at 11:00 a.m. The parties were properly notified of the hearing. Prior to the hearing date, the appellant submitted a written request to withdraw the appeal.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The appealing party requested to withdraw the appeal. The request was submitted in writing and via fax on December 17, 2019. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on that same date.

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, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the December 5, 2019 (reference 01) unemployment insurance decision is APPROVED. That decision shall stand and remain in full force and effect.

The hearing scheduled for January 9, 2020 at 11:00 a.m. is CANCELLED.

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

Decision Dated and Mailed

abd/scn