

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**CHRISTI J WYBORN**  
Claimant

**APPEAL NO. 11A-UI-09164-AT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 04/18/10  
Claimant: Appellant (6)**

871 IAC 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from an unemployment insurance decision dated June 30, 2011, reference 03, that ruled she had been overpaid unemployment insurance benefits for the week ending November 13, 2010. Due notice was issued for a telephone hearing to be held August 5, 2011. Prior to the date of the hearing, the claimant requested that the appeal be withdrawn.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

Having examined all matters of record, the administrative law judge finds: The claimant, the appellant in this matter, has requested that the appeal be withdrawn.

**REASONING AND CONCLUSIONS OF LAW:**

A rule found at 871 IAC 26.8(1) allows the administrative law judge to grant an appellant's request for the withdrawal of its appeal. A review of all matters of record persuades the administrative law judge that it is appropriate to allow the withdrawal of this appeal.

871 IAC 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

**DECISION:**

The unemployment insurance decision dated June 30, 2011, reference 03, remains in effect. The claimant has been overpaid for the week ending November 13, 2010.

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Dan Anderson  
Administrative Law Judge

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Decision Dated and Mailed

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