IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS

KATHLEEN M BENNETT Claimant **MARSHALLTOWN YMCA** Employer	**APPEAL 21A-UI-02556-SC-T** **ADMINISTRATIVE LAW JUDGE** **DECISION** **OC: 05/17/20** **Claimant: Appellant (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Code § 96.6(2) – Timeliness of Appeal
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On January 4, 2021, Kathleen M. Bennett (claimant/appellant) filed an appeal from the unemployment insurance decision dated July 9, 2020, reference 01. A hearing was scheduled for March 8, 2021. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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: A request has been made by the appealing party to withdraw the appeal. The request was made verbally and was recorded.

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 (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

The administrative law judge, having reviewed the records and files herein, 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 July 9, 2020, reference 01, is approved, and that decision, as amended by the decision issued July 22, 2020, reference 02, shall stand and remain in full force and effect.

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Stephanie R. Callahan
Administrative Law Judge

March 11, 2021
Decision Dated and Mailed

src/scn