

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

HEATHER M MCCLURE
Claimant

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

APPEAL 22A-UI-00175-AW-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/29/20
Claimant: Appellant (6)

Iowa Code § 96.3(7) – Overpayment of Benefits
Iowa Code § 96.16(4) – Offenses and Misrepresentation
Iowa Admin. Code r. 871-25.1 – Misrepresentation & Fraud
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

Claimant filed an appeal from the November 12, 2021 (reference 04) unemployment insurance decision that found claimant was overpaid Lost Wage Assistance Program (LWAP) benefits and imposed a 15% administrative penalty due to misrepresentation. The parties were properly notified of the hearing. A telephone hearing is scheduled for April 29, 2022. 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 sent via e-mail on April 28, 2022. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on April 28, 2022.

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 November 12, 2021 (reference 04) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for April 29, 2022 is cancelled.

A handwritten signature in black ink, appearing to read "Adrienne C. Williamson", is positioned above a horizontal line.

Adrienne C. Williamson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

April 29, 2022
Decision Dated and Mailed

acw/acw