

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DARRELL L STARR
Claimant

WALMART INC
Employer

APPEAL 19A-UI-05058-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/26/19
Claimant: Respondent (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct
Iowa Code § 96.5(1) – Voluntary Quit
Iowa Code § 96.3(7) -- Overpayment
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from a representative's decision dated June 14, 2019, (reference 01). A hearing was scheduled for July 22, 2019 at 1:00 p.m. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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, having considered the evidence in the record, finds that: A request has been made by the appealing party to withdraw the appeal. The request has been submitted in writing.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit an oral request to withdraw his or her appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). Based on the documents in the appeal file and the applicable law, the request of the appealing party to withdraw the appeal should be approved.

DECISION:

The decision of the representative dated June 14, 2019, (reference 01) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect. Benefits are allowed provided the claimant is otherwise eligible. The hearing scheduled for July 22, 2019 at 1:00 p.m. is cancelled.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs