

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHAD B UKASICK**  
Claimant

**APPEAL 17A-UI-13154-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**CORY JUERGENS CONSTRUCTION LLC**  
Employer

**OC: 12/03/17**  
**Claimant: Appellant (6)**

Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

An appeal was filed from the representative's decision dated December 18, 2017 (reference 01) that found claimant was not eligible for benefits. A hearing was scheduled for January 16, 2018. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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. The hearing scheduled for January 16, 2018 is cancelled.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

The appellant has made a request in writing to withdraw the appeal. The administrative law judge has reviewed the records and file herein and concludes that the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The decision of the representative dated December 18, 2017 (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. The hearing set for January 16, 2018 at 9:00 a.m. is cancelled.

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Dawn Boucher  
Administrative Law Judge

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Decision Dated and Mailed

db/rvs