

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

**Appeal Number: 15IWDUI057-58**  
**OC: 10/5/14**  
**Claimant: Appellant (6)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> Floor Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**DARRICK R. TOEL**  
**125 5<sup>TH</sup> STREET NW**  
**LE MARS, IA 51031**

STATE CLEARLY

**IOWA WORKFORCE DEVELOPMENT**  
**REEMPLOYMENT SERVICES**  
**COORDINATOR**  
**LORI ADAMS AND JEAN HOLBROOK**

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

JONI BENSON, IWD

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(Administrative Law Judge)

March 4, 2015

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(Decision Dated & Mailed)

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871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

### STATEMENT OF THE CASE

On December 2, 2014,<sup>1</sup> Iowa Workforce Development (Department) issued a decision finding Darrick Toel not eligible to receive unemployment insurance benefits (UIB) because of his failure to report for a reemployment and eligibility assessment. On January 30, 2015, the Department issued another decision finding Darrick Toel not eligible to receive unemployment insurance benefits (UIB) because he was unable to perform work at that time due to illness.

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<sup>1</sup>This date appears to be incorrect, as the Appellant was not assigned to attend the reemployment and eligibility assessment until January 23, 2015.

The case was transmitted from Iowa Workforce Development to the Department of Inspections and Appeals on February 17, 2015 to schedule a contested case hearing. A Notice of Telephone Hearing was mailed to all parties on February 18, 2015. On March 4, 2015, a telephone appeal hearing was held before Administrative Law Judge Kathleen M. O'Neill. Department worker Jean Holbrook represented the Department and presented testimony. The Appellant, Darrick Toel, appeared and presented testimony. The Department submitted exhibits, which were admitted into the record as evidence.

After the parties presented testimony, Mr. Toel verbally withdrew his appeal, based on a clarification of the information. The Department's regulations permit an appeal to 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.<sup>2</sup>

### **DECISION**

The Appellant's request to withdraw his appeal is approved and the appeal is deemed withdrawn.

KMO

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<sup>2</sup> 871 Iowa Administrative Code (IAC) 26.8(1).