

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI	
BARBARA A WOODWORTH Claimant	APPEAL NO: 09A-UI-15571-DWT
IOWA WORKFORCE DEVELOPMENT DEPARTMENT	ADMINISTRATIVE LAW JUDGE DECISION
	OC: 06/14/09 Claimant: Appellant (6)

871 IAC 26.8 (1) - Withdrawal of Appeal

STATEMENT OF THE CASE:

Barbara A. Woodworth (claimant) appealed a representative's October 6, 2009 decision (reference 05) that concluded she had been overpaid \$744.00 in benefits. The overpayment occurred as the result of a representative's July 30, 2009 decision that concluded she was not qualified to receive benefits between successive years or terms from an educational institution. A hearing was scheduled on November 16, 2009. On October 28, 2009, the claimant contacted the Appeals Sections and withdrew her appeal. Based on the claimant's withdrawal request, the administrative record, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

FINDINGS OF FACT:

The claimant withdrew her appeal from the representative's October 6, 2009 decision. The claimant's October 28, 2009 withdrawal request was tape-recorded.

REASONING AND CONCLUSIONS OF LAW:

871 IAC 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 claimant's request to withdraw her appeal is approved.

DECISION:

The representative's October 6, 2009 decision (reference 05) is affirmed. The claimant's withdrawal request is approved. The claimant has been overpaid \$744.00 in benefits and is required to repay this amount to the Department.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs