

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JO E FOLEY
Claimant

PINNACLE HEALTH FACILITIES XVII
Employer

APPEAL 19A-UI-02221-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/19/18
Claimant: Respondent (6)

Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from a statement of charges mailed to the employer on February 8, 2019 for the fourth quarter of 2018. A hearing was scheduled for April 2, 2019. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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.

NOTE TO CLAIMANT:

The hearing scheduled for March 27, 2019 at 8:00 a.m. for appeal number 19A-UI-02138-SC is **NOT** cancelled. Please follow the instructions on the hearing notice that was sent to you in order to participate in that hearing.

DECISION:

The statement of charges mailed to the employer on February 8, 2019 for the fourth quarter of 2018 is affirmed. The request of the appealing party to withdraw the appeal is approved, and the statement of charges shall stand and remain in full force and effect. The hearing scheduled for April 2, 2019 at 1:00 p.m. is cancelled.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs