

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**MICHAEL TURNER**  
Claimant

**APPEAL NO. 21A-UI-08477-JTT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**PRINCIPAL LIFE INSURANCE CO**  
Employer

**OC: 11/08/20**  
**Claimant: Appellant (6)**

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Iowa Code Section 96.4(3) – Able & Available  
Iowa Administrative Code rule 871-26.8(1) - Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the March 2, 2021, reference 01, decision and the Appeals Bureau treated the appeal as also from the March 2, 2021, reference 01 decision that denied benefits for the period beginning November 8, 2020, based on the deputy's conclusion that the claimant was not partially unemployed. A hearing was scheduled for June 8, 2021. The claimant appeared. The employer did not appear. Prior to the presentation of evidence, the claimant/appellant requested the appeal in this matter be withdrawn.

**ISSUE:**

Should the appellant's request to withdraw the appeal from the March 23, 2021, reference 01 decision should be granted.

**FINDINGS OF FACT:**

The claimant is the appellant in this matter. At the time of the hearing, the claimant advised that he did not intend to appeal the March 2, 2020, reference 01, decision and requested to withdraw the appeal. The request was made before the administrative law judge entered a decision in connection with this matter.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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 administrative law judge concludes that the claimant's request to withdraw the appeal should be approved.

**DECISION:**

The claimant's request to withdraw the appeal is approved. The March 2, 2021, reference 01 decision that denied benefits for the period beginning November 8, 2020, based on the deputy's conclusion that the claimant was not partially unemployed, shall stand. Based on the March 22, 2021, reference 02, decision, the period governed by the reference 01 decision is limited to the period of November 8, 2020 through February 6, 2021.



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James E. Timberland  
Administrative Law Judge

June 21, 2021  
Decision Dated and Mailed

jet/scn