

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

JEFFREY SHANNON
Claimant

APPEAL NO: 15A-UI-13339-JE-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 12/21/14
Claimant: Appellant (6)**

871 IAC 24.3(1)a, h – Backdating
871 IAC 26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed a timely appeal from a representative's decision dated December 2, 2015, reference 01. A hearing was scheduled for December 22, 2015. Prior to the hearing being held, the claimant requested the appeal be withdrawn because his request to backdate his claim, to November 15, 2015, was allowed in the reference 02 decision which amended this decision.

ISSUE:

The issue is whether the appeal should be withdrawn.

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 verbally and has been recorded.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 administrative law judge has reviewed the records and files herein and concludes that the request of the appealing party to withdraw the appeal should be approved as his request to backdate his claim to November 15, 2015, was allowed in the reference 02 decision.

DECISION:

The decision of the representative dated December 2, 2015, reference 01, (as amended by reference 02) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the amended decision of the representative shall stand and remain in full force and effect. Backdating, to November 15, 2015, is allowed.

Julie Elder
Administrative Law Judge

Decision Dated and Mailed

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