

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

NICOLE M PARKER
Claimant

GILBERTVILLE—DON BOSCO
Employer

**APPEAL 21A-UI-03353-LJ-T
ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 03/29/20
Claimant: Respondent (6)**

Iowa Code § 96.19(38) – Total, Partial, and Temporary Unemployment
Iowa Code § 96.7(2)a(2) – Employer Contributions and Reimbursements
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On January 19, 2021, employer Gilbertville—Don Bosco filed an appeal from the representative's decision dated January 13, 2021 (reference 01). A telephonic hearing was scheduled for 9:00 a.m. on Monday, April 19, 2021. Prior to the hearing being held, the employer/appellant requested the appeal be withdrawn.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. The administrative law judge received the employer's written request to withdraw the appeal on Wednesday, March 24, 2021.

REASONING AND CONCLUSIONS OF LAW:

Iowa Admin. Code r. 871-26.8(1) provides:

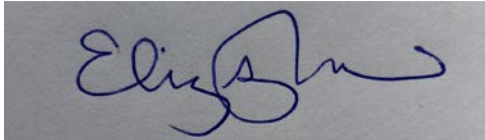
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding 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.

DECISION:

The decision of the representative dated January 13, 2021 (reference 01) is affirmed. The request of the appealing party to withdraw the appeal is approved, and the decision of the representative shall stand and remain in full force and effect.

The hearing scheduled for 9:00 a.m. on Monday, April 19, 2021, is canceled.

A rectangular box containing a handwritten signature in blue ink. The signature appears to be "Elizabeth A. Johnson" written in a cursive style.

Elizabeth A. Johnson
Administrative Law Judge
Unemployment Insurance Appeals Bureau
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax (515)478-3528

March 25, 2021
Decision Dated and Mailed

lj/scn