

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CRYSTAL M HAMILTON
Claimant

**DIERCKS SENIOR CARE LLC
HOME INSTEAD SENIOR CARE**
Employer

**APPEAL 16A-UI-06867-DL-T
ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 05/31/15
Claimant: Respondent (6)**

Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated June 8, 2016, (reference 02) that found claimant available for work the two weeks ending May 28, 2016. A hearing was scheduled for July 7, 2016. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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 finds that: The appealing party made a request to withdraw the appeal. The request was 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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 appealing party's request to withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the unemployment insurance decision dated June 8, 2016, (reference 02) is approved, and the decision finding claimant available for work the two weeks ending May 28, 2016, shall stand and remain in full force and effect.

Dévon M. Lewis
Administrative Law Judge

Decision Dated and Mailed

dml/pjs