

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JERRY L GRANVILLE**  
Claimant

**EXPRESS SERVICES INC**  
Employer

**APPEAL 21A-UI-00786-S2-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 09/06/20**  
**Claimant: Respondent (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quit  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview  
Iowa Code § 96.5(1)j – Voluntary Quitting – Temporary Employment  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer filed an appeal from the December 4, 2020, (reference 03) unemployment insurance decision that allowed benefits. A telephone hearing was scheduled for February 11, 2021 at 9:00 am. Claimant did not participate. Employer participated through office manager Marisa Sheldon. At the time of the hearing, appellant verbally withdrew its appeal.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: The appealing party requested to withdraw the appeal during the hearing on February 11, 2021.

**REASONING AND CONCLUSIONS OF LAW:**

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

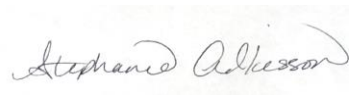
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided 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.

Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated December 4, 2020, (reference 03) is approved. That decision shall stand and remain in full force and effect.



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

February 22, 2021  
Decision Dated and Mailed

sa/bd