

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CAROL LITSCHER**  
Claimant

**ANNETTE HOLDINGS INC**  
Employer

**APPEAL 21A-UI-10027-SN-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 01/24/21**  
**Claimant: Respondent (6)**

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Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.5(1) – Voluntary Quitting  
PL 116-136, Sec. 2014 – Federal Pandemic Unemployment Compensation  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-24.10 – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The employer, Annette Holdings Inc, filed an appeal from the March 23, 2021, (reference 01) unemployment insurance decision that granted benefits based upon the conclusion the claimant was discharged and willful misconduct was not shown. A telephone hearing was scheduled for June 23, 2021 at 2:00 p.m. Prior to the scheduled hearing date, the appellant requested the appeal be withdrawn.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 requested to withdraw the appeal. The request was submitted in writing and was verified by the appellant.

**REASONING AND CONCLUSIONS OF LAW:**

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

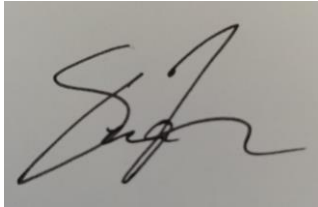
- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided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

**DECISION:**

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated March 23, 2021, (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on June 23, 2021 at 2:00 p.m. is canceled.

A rectangular box containing a handwritten signature in black ink. The signature is stylized and appears to read 'Sean M. Nelson'.

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Sean M. Nelson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515) 725-9067

July 07, 2021  
Decision Dated and Mailed

smn/mn