

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**RICHARD A HESS**

Claimant

**PER MAR SECURITY & RESEARCH CORP**

Employer

**APPEAL 22A-UI-03514-AR-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/16/21**

**Claimant: Appellant (6)**

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Iowa Code § 96.4(3) – Able to and Available for Work  
Iowa Admin. Code r. 871—24.23(26) – Same Hours and Wages  
Iowa Code § 96.1A(37) – Total and Partial Unemployment  
Iowa Code § 96.7(2)a(2) – Same Base Period Employment  
Iowa Code § 96.6(2) – Timeliness of Appeal  
Iowa Admin. Code r. 871—26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

On January 21, 2022, claimant, Richard A. Hess, filed an appeal from a representative's decision dated October 28, 2021 (reference 01), that denied benefits effective September 12, 2021. A telephonic hearing was scheduled for 11:00 a.m. on March 7, 2022. At the time of the hearing, the claimant/appellant requested the appeal be withdrawn.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 verbally and was recorded by the hearing software used by the Appeals Bureau. The administrative law judge received the claimant's verbal request to withdraw the appeal on March 7, 2022.

**REASONING AND CONCLUSIONS OF LAW:**

For the reasons that follow, the administrative law judge concludes the request of the appealing party to withdraw the appeal should be granted.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to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 October 28, 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 11:00 a.m. on Monday, March 7, 2022, is canceled.



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Alexis D. Rowe  
Administrative Law Judge

March 22, 2022  
Decision Dated and Mailed

ar/mh