

IOWA DEPARTMENT OF INSPECTIONS & APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

**Appeal Number:** 13IWDUI420-421  
**OC:** 1/13/13  
**Claimant:** Appellant (6)

**DECISION OF THE ADMINISTRATIVE LAW JUDGE**

**RICHARD MITCHELL**  
**1917 WEST 6<sup>TH</sup> STREET**  
**SIOUX CITY, IA 51103**

**IOWA WORKFORCE DEVELOPMENT**  
**REEMPLOYMENT SERVICES**  
**COORDINATOR**  
**SHANLYN SEIVERT & TONIA ABELL**

JONI BENSON, IWD

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4th Floor Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the Department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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October 7, 2013  
(Dated and Mailed)

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871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE**

Iowa Workforce Development (“IWD”) issued decisions dated August 21, 2013 and August 29, 2013 finding Richard Mitchell did not attend a reemployment and eligibility assessment and was overpaid \$236. Mitchell appealed.

IWD transmitted the case for a hearing on September 10, 2013. The hearing was scheduled for October 7, 2013. At the time of the hearing Mitchell indicated on the

record that he wished to withdraw the appeals because he agreed with the decision and agreed that he was overpaid. IWD's rules allow an appellant to withdraw an appeal at any time prior to the issuance of a decision, with the approval of the administrative law judge.<sup>1</sup> The request to withdraw the appeals is granted.

### **DECISION**

Mitchell's request to withdraw the appeals is granted. The appeals are deemed withdrawn.

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<sup>1</sup> 871 IAC 26.8(1).