

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

DECISION OF THE ADMINISTRATIVE LAW JUDGE

TODD C ZAEHRINGER
1291 RIPLEY COURT
MUSCATINE, IA 52761

IOWA WORKFORCE DEVELOPMENT
REEMP. SERVICES COORDINATOR
DAVID HARTMAN

JONI BENSON, IWD

Appeal Number: 13IWDUI028
OC: 07/15/12
Claimant: Appellant (6)

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 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.

(Administrative Law Judge)

January 29, 2013

(Decision Dated & Mailed)

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

STATEMENT OF THE CASE

The Appellant, Todd C. Zaehring, filed an appeal from a decision issued by Iowa Workforce Development (the Department) dated December 28, 2012, reference 02. In this decision, the Department determined that Mr. Zaehring was ineligible to receive unemployment insurance benefits effective December 23, 2012 because he failed to participate in a reemployment and eligibility assessment.

The case was transmitted from Workforce Development to the Department of Inspections and Appeals on January 16, 2013 to schedule a contested case hearing. A Notice of Hearing was issued to all parties on January 24, 2013 scheduling a hearing date of March 8, 2013. Prior to the hearing date, David Hartman of the Department provided notice that Mr. Zaehring subsequently attended a reemployment and eligibility assessment. Therefore, Mr. Hartman

stated further, the claim for Mr. Zaehring was unlocked retroactive to December 23, 2012. Mr. Hartman stated that Mr. Zaehring “did not miss any weeks” of payments.

The Department’s regulations permit an appeal to 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. 871—Iowa Administrative Code 26.8(1). Because Mr. Zaehring did not suffer any loss of benefits, he is deemed to have withdrawn his appeal.

DECISION

The Appellant’s request to withdraw the appeal is approved and the appeal is deemed withdrawn. The hearing scheduled for March 8, 2013 is cancelled.

cjg