

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

PAUL SERNA
Claimant

CITY OF ANKENY
Employer

APPEAL 21A-UI-24327-AR-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 12/27/20
Claimant: Appellant (6)

Iowa Code § 96.5(1) – Voluntary Quitting
Iowa Admin. Code r. 871—26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

On November 4, 2021, claimant, Paul Serna, filed an appeal from a representative's decision dated October 29, 2021 (reference 03). A telephonic hearing was scheduled for 11:00 a.m. on December 28, 2021. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.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 in writing. The administrative law judge received the claimant/appellant's written request to withdraw the appeal on December 27, 2021.

REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes the request to withdraw the appeal is 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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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 29, 2021 (reference 03) 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 Tuesday, December 28, 2021, is canceled.



Alexis D. Rowe
Administrative Law Judge

January 25, 2022
Decision Dated and Mailed

ar/mh