

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

MINDY L CURRY
Claimant

DEWITT FOOD BANK INC
Employer

APPEAL 16A-UI-02604-JCT

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 02/07/16
Claimant: Appellant (6)

Section 871IAC26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

An appeal was filed from an unemployment insurance decision dated February 25, 2016 (reference 01) which denied benefits to the claimant. A hearing was scheduled for March 25, 2016. Prior to the hearing being held, the claimant/appellant requested the appeal be withdrawn.

ISSUE:

Should the appellant's 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 was submitted in writing.

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(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned.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.

The March 25, 2016 hearing is cancelled.

DECISION:

The unemployment insurance decision dated February 25, 2016 (reference 01) is affirmed. The decision holding the claimant is disqualified for benefits remains in effect.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/can