

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

**SAMANTHA EARNHART**  
Claimant

**JELD-WEN INC**  
Employer

**APPEAL 21A-UI-02657-LJ-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/19/20**  
**Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Ability to and Availability for Work  
Iowa Admin Code r. 871-24.23(10) – Leave of Absence  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

On January 7, 2021, claimant Samantha Earnhart filed an appeal from a representative's decision dated December 31, 2020 (reference 01) that denied benefits. A telephonic hearing was scheduled for 8:00 a.m. on Tuesday, March 9, 2021. Prior to the hearing being held, the appellant requested the appeal be withdrawn.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 claimant Samantha Earnhart's written request to withdraw the appeal on Monday, March 1, 2021.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-26.8(1) provides:

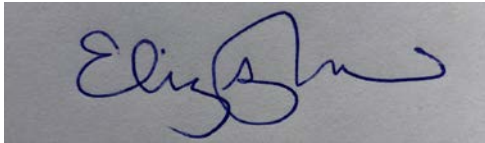
(1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer to whom the case is assigned. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding 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.

**DECISION:**

The decision of the representative dated December 31, 2020 (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 8:00 a.m. on Tuesday, March 9, 2021, is canceled.

A handwritten signature in blue ink, appearing to read "Elizabeth A. Johnson", is shown on a light-colored background.

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Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

March 8, 2021  
Decision Dated and Mailed

lj/scn