

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**DIANE WEST**  
Claimant

**FBG SERVICE CORPORATION**  
Employer

**APPEAL 21A-UI-18989-AW-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/16/21  
Claimant: Respondent (6)**

Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code § 96.3(7) – Recovery of Benefit Overpayment  
Iowa Admin. Code r. 871-24.10 – Employer/Representative Participation Fact-finding Interview  
PL 116-136, Sec. 2104 – Federal Pandemic Unemployment Compensation  
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

**STATEMENT OF THE CASE:**

Employer filed an appeal from the August 16, 2021 (reference 03) unemployment insurance decision that allowed benefits. The parties were properly notified of the hearing. A telephone hearing is scheduled for October 20, 2021. Prior to the hearing date, the appellant submitted a written request to withdraw the appeal.

**ISSUE:**

Whether the request to withdraw the appeal should be granted.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The appealing party requested to withdraw the appeal. The request was submitted in writing and sent via facsimile on October 20, 2021. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on October 20, 2021.

**REASONING AND CONCLUSIONS OF LAW:**

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). Based on the available record in the appeal file, and in accordance with the applicable statutes and rules, the request of the appealing party to withdraw the appeal should be approved.

**DECISION:**

The appealing party's request to withdraw the appeal of the August 16, 2021 (reference 03) unemployment insurance decision is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled for October 20, 2021 is cancelled.

A handwritten signature in black ink, appearing to read 'Adrienne C. Williamson', is written over a light yellow rectangular background.

---

Adrienne C. Williamson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

October 29, 2021  
Decision Dated and Mailed

acw/kmj