

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

---

**JULIE SCHMIDT**  
Claimant

**APPEAL 20A-UI-11244-JC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/30/20  
Claimant: Appellant (6)**

---

Iowa Code § 96.4(3) – Able and Available/Work Search  
Iowa Code § 17A.12(3) – Default Decision  
Iowa Admin. Code r. 871-26.14(7) – Dismissal of Appeal on Default

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the September 9, 2020, (reference 01), unemployment insurance decision that warned claimant to make at least two work search contacts per week but did not deny benefits. A telephone hearing was scheduled for October 26, 2020 at 9:00 a.m. Prior to the hearing, the claimant/appellant submitted a written request to withdraw the appeal and no hearing was conducted.

**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.

**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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

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 hearing scheduled for October 26, 2020, at 9:00 a.m. is cancelled.**

**DECISION:**

The unemployment insurance decision dated September 9, 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.



---

Jennifer L. Beckman  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
Iowa Workforce Development  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax 515-478-3528

October 9, 2020  
Decision Dated and Mailed

jlb/scn