

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KAYLA A KRENGEL
Claimant

APPEAL 17A-UI-12575-DB-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 04/09/17
Claimant: Appellant (6)

Iowa Code § 96.4(3) – Able to and Available for Work
Iowa Admin. Code r. 871-24.2(1)e – Re-employment Services
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant/appellant, Kayla A. Krengel, filed an appeal from an unemployment insurance decision dated May 23, 2017 (reference 02). A telephone hearing was scheduled on January 2, 2018, at 1:00 p.m. Prior to the hearing date, the claimant/appellant submitted a written request to withdraw this appeal. The hearing was canceled due to the written appeal withdrawal.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The appellant requested to withdraw her appeal. The written request was submitted on December 15, 2017 to the Iowa Workforce Development Unemployment Insurance Appeals Bureau. The hearing scheduled for January 2, 2018 at 1:00 p.m. is cancelled.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw his or her appeal at any time prior to the issuance of a decision.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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.

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 cancel or withdraw the appeal is approved and the hearing scheduled on January 2, 2018, at 1:00 p.m. is canceled.

DECISION:

The claimant/appellant's written withdrawal of this appeal of the unemployment insurance decision dated May 23, 2017 (reference 02) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on January 2, 2018, at 1:00 p.m. is canceled.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

db/rvs