

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS  
Division of Administrative Hearings  
Wallace State Office Building  
Des Moines, Iowa 50319

**Appeal Numbers:** 10IWDUI090  
10IWDUI091  
**OC:** 01/04/09  
01/03/10

**Claimant: Appellant (6)**

DECISION OF THE ADMINISTRATIVE LAW JUDGE

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>TH</sup> Floor Lucas Building, Des Moines, Iowa 50319.**

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

**JAIME R. HERNANDEZ**  
**1900 9<sup>TH</sup> STREET**  
**DES MOINES, IA 50314-2924**

STATE CLEARLY

**IOWA WORKFORCE DEVELOPMENT  
INVESTIGATION AND RECOVERY  
1000 EAST GRAND AVENUE  
DES MOINES IA 50319-0209**

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to the department. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

DAN ANDERSON, IWD

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(Administrative Law Judge)

March 31, 2010

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(Decision Dated & Mailed)

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**871IAC26.8(1) - Withdrawal of Appeal**

Claimant Jaime Hernandez appealed from two representative's decisions. The first, involving an original claim date of January 4, 2009, was dated January 21, 2010, reference 01. It held that Mr. Hernandez was not eligible to receive unemployment insurance benefits because he had failed to provide proof he was legally authorized to work in the United States. The second, decision involved an original claim date of January 3, 2010, reference 01. That decision held that Mr. Hernandez had been overpaid benefits in the amount of \$1232 for the three weeks between December 27, 2009 and January 16, 2010 based on the previous decision disqualifying him from receiving benefits.

A telephone hearing was scheduled for April 21, 2010. Prior to the hearing, Mr. Hernandez filed a written statement requesting that he be allowed to withdraw his appeal.

Claimant Jaime Hernandez no longer wishes to pursue this appeal and his request to withdraw should therefore be granted.

### **DECISION**

The decision of Iowa Workforce Development involving an original claim date of January 4, 2009, and dated January 21, 2010, reference 01 is **AFFIRMED**. Additionally, the decision involving an original claim date of January 3, 2010, reference 01 is also **AFFIRMED**. The request of Jaime Hernandez to withdraw his appeal is approved, and the decisions of the representative shall remain in full force and effect.

kka