

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

KIMBERLY M LAVALLEE
Claimant

APPEAL 16A-UI-09179-EC-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 05/08/16
Claimant: Appellant (6)

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, Kimberly Lavallee, filed an appeal from an unemployment insurance decision dated August 16, 2016, reference 04. Before a hearing was scheduled, the claimant/appellant submitted a written withdrawal of this appeal. The appellant specifically asked to cancel her appeal.

ISSUE:

Should the appeal withdrawal be approved?

FINDINGS OF FACT:

A decision was issued on August 16, 2016, reference 04, denying benefits as of 07/31/16 because the claimant failed to report for a reemployment and eligibility assessment on August 4. The claimant filed an appeal on August 23, 2016. On August 26, 2016, the claimant, the appealing party, requested to withdraw this appeal. In the written withdrawal, the claimant asked to cancel the appeal.

The department issued an unemployment insurance decision dated August 25, 2016, reference 05, stating that the claimant participated in the reemployment and eligibility assessment and is eligible to receive unemployment insurance benefits beginning 07/31/16.

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).

Based on the documents in the appeal file and the applicable law, the request of the appealing party to withdraw or cancel the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the unemployment insurance decision dated August 16 2016, reference 04, is approved. The decision dated August 25, 2016, reference 05, remains in full force and effect.

Emily Gould Chafa
Unemployment Insurance Appeals Bureau
Iowa Workforce Development

Decision Dated and Mailed

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