

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

ANNETTE J HALDA
Claimant

APPEAL 18A-UI-06741-NM-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

VILLAGE ASSISTED LIVING INC
Employer

**OC: 05/20/18
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Admin. Code r. 871-24.22(2) – Able & Available - Benefits Eligibility Conditions
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant filed an appeal from the June 18, 2018, (reference 01) unemployment insurance decision that withheld benefits based upon her inability to work due to injury. A telephone hearing was scheduled for July 6, 2018 at 1:00 p.m. Prior to the scheduled hearing date, the appellant, through her attorney, requested the appeal be withdrawn.

ISSUE:

Should the request to withdraw the appeal be granted?

FINDINGS OF FACT:

The administrative law judge finds that: The appealing party requested to withdraw the appeal. The request was submitted in writing and was verified by the appellant.

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- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief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

DECISION:

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated June 18, 2018, (reference 01) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on July 6, 2018, at 1:00 p.m. is canceled.

Nicole Merrill
Administrative Law Judge

Decision Dated and Mailed

nm/rvs