

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

LINDA M STARKS
Claimant

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

APPEAL 22A-UI-08661-AD-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/15/20
Claimant: Appellant (6)

Iowa Code § 96.3(7) – Overpayment
Iowa Admin. Code r. 871-26.8(1) – Withdrawals

STATEMENT OF THE CASE:

On April 6, 2022, Linda Starks (claimant/appellant) filed an appeal from the Iowa Workforce Development decision dated March 28, 2022 (reference 07) that determined claimant was overpaid unemployment insurance benefits in the amount of \$1,342.00 for 11 weeks between June 7 and August 22, 2020 as a result of a prior decision denying benefits.

A telephone hearing is scheduled for May 23, 2022 at 2:10 p.m. The parties were properly notified of the hearing. Prior to the hearing date, the appellant submitted a written request to withdraw the appeal.

ISSUE:

Whether the request to withdraw the appeal should be granted.

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds:

The appealing party requested to withdraw the appeal. The request was submitted in writing and sent via fax on May 13, 2022. The Iowa Workforce Development Unemployment Insurance Appeals Bureau received the written withdrawal of appeal on that date.

REASONING AND CONCLUSIONS OF LAW:

An appellant may submit a written request to withdraw an appeal at any time prior to the issuance of a decision. Iowa Admin. Code r. 871-26.8(1). 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 withdraw the appeal should be approved.

DECISION:

The appealing party's request to withdraw the appeal of the decision dated March 28, 2022 (reference 07) that determined claimant was overpaid unemployment insurance benefits in the amount of \$1,342.00 for 11 weeks between June 7 and August 22, 2020 as a result of a prior decision denying benefits is APPROVED. That decision shall stand and remain in full force and effect.

The hearing scheduled for May 23, 2022, at 2:10 p.m. is CANCELLED.



Andrew B. Duffelmeyer
Administrative Law Judge

May 25, 2022
Decision Dated and Mailed

abd/abd