

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

**Appeal Number: 10IWDUI208**  
**OC: 4/11/10**  
**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.**

**RON SCHMUDLACH**  
**5465 BEECHTREE DR.**  
**WEST DES MOINES, IA 50266-6915**

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.

STATE CLEARLY

**IOWA WORKFORCE DEVELOPMENT**  
**SHANLYN SEIVERT**  
**REEMP. SERVICES COORDINATOR**  
**430 EAST GRAND AVE.**  
**DES MOINES, IA 50309**

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.

DAN ANDERSON, IWD

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.

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(Administrative Law Judge)

August 2, 2010

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(Decision Dated & Mailed)

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871 Iowa Administrative Code 26.8(1) – Withdrawal of Appeal

### **STATEMENT OF THE CASE**

The claimant appealed a representative's decision dated June 7, 2010, reference 02. That decision determined that the claimant was ineligible to receive unemployment insurance benefits from May 30, 2010 through June 5, 2010 based on his failure to establish justifiable cause for failing to participate in re-employment services during this time period. The parties convened for telephone hearing on July 30, 2010. At that time, the parties informed the undersigned administrative law judge that the issue had been resolved. Specifically, the claimant attended the required re-employment services training and the Department issued a subsequent decision determining the claimant to be eligible for benefits for the time period in question. The claimant has now received benefits for May 30, 2010 through June 5, 2010. The claimant stated that the issue has

been resolved and he wished to withdraw his appeal.

The Department's regulations permit an appeal to be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of the presiding officer.<sup>1</sup>

### **DECISION**

The appellant's request to withdraw her appeal is approved and the appeal is deemed withdrawn.

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<sup>1</sup> 871 Iowa Administrative Code (IAC) 26.8(1).