

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

Appeal Number: 11IWDUI239
OC: 05/22/11
Claimant: Appellant (2)

DECISION OF THE ADMINISTRATIVE LAW JUDGE

KARLA OWENS
1215 E 15TH STREET
DES MOINES, IA 50316

IOWA WORKFORCE DEVELOPMENT
REEMPLOYMENT SERVS. COORD.
SHANLYN SEIVERT
430 EAST GRAND AVE.
DES MOINES, IA 50319-0209

JOE WALSH, IWD

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 written Notice of Appeal, directly to the **Employment Appeal Board, 4th 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.

STATE CLEARLY

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.

(Administrative Law Judge)

October 26, 2011
(Dated and Mailed)

Dismissal of Appeal Without Prejudice – 481 Iowa Administrative Code 10.24

STATEMENT OF THE CASE

Claimant/Appellant Karla Owens appealed a decision issued by Respondent Iowa Workforce Development (“IWD”) dated August 9, 2011, finding she was not eligible to receive unemployment benefits from August 7, 2011 through August 13, 2011 because she failed to establish justifiable cause for failing to participate in reemployment services.

IWD transmitted the administrative file to the Department of Inspections and Appeals to schedule a contested case hearing. IWD did not include a copy of the decision with the file. A contested case hearing was scheduled for October 19, 2011. Owens appeared. Kimberly Wilhelm appeared on behalf of IWD. Owens did not receive the exhibits before the hearing and the decision was missing from the file. The parties agreed the hearing could be continued to October 27, 2011. On October 25, 2011 I received an e-mail from IWD indicating Owens's claim had been unlocked and her benefits were reinstated, a copy of which has been received into the administrative appeal file. IWD requests the appeal be dismissed. Because no issues remain for resolution in this administrative appeal, the appeal is dismissed.¹

DECISION

This appeal is dismissed because no issues remain to be resolved.

hlp

¹ 481 IAC 10.24(1).