

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

CARL A LINDEN
Claimant

APPEAL NO: 14A-UI-11060-DWT

**ADMINISTRATIVE LAW JUDGE
DECISION**

SWIFT PORK COMPANY
Employer

**OC: 10/20/13
Claimant: Appellant (6)**

871 IAC 26.8(1) - Dismissal of Appeal

STATEMENT OF THE CASE:

The claimant appealed a representative's October 14, 2014 determination (reference 05) that held him overpaid benefits he received for weeks between October 10, 2013 and April 19, 2014. On November 4, 2014, another representative's determination (reference 06) held the claimant's overpayment was reduced to zero and the claimant did not owe any money. Based on the November 4 determination there is no issue to appeal.

ISSUE:

Should the appeal from an October 14 determination be dismissed?

FINDINGS OF FACT:

The issue the claimant appealed that he was overpaid and had to pay back benefits he received between October 20, 2013, and April 10, 2014, was modified in November 4, 2014 determination. The November 4 determination held the overpayment was reduced to zero and the claimant did not owe any money to the Department.

REASONING AND CONCLUSIONS OF LAW:

Since the November 4 determination (reference 06) has resolved the issue the claimant appealed and the claimant does not owe the Department any money, this appeal is dismissed. The hearing scheduled on November 14, 2014 is cancelled.

DECISION:

The representative's October 14, 2014 determination (reference 05) has been modified by a November 4, 2014 determination (reference 06). The November 4 determination resolved the issue the claimant appealed and the claimant does not owe any money to the Department. The November 14 hearing is cancelled.

Debra L. Wise
Administrative Law Judge

Decision Dated and Mailed

dlw/pjs