

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

**Appeal Number: 11IWDUI043**

**OC: 3/14/10**

**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.**

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.

**JUDITH BUTTERS  
4120 57TH STREET  
DES MOINES, IA 50310-1809**

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.

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.

JOE WALSH, IWD

---

(Administrative Law Judge)

March 29, 2011

---

(Decision Dated & Mailed)

---

## STATEMENT OF THE CASE

Judith Butters filed a timely appeal from a decision issued by Iowa Workforce Development (the Department) dated December 22, 2010, reference 01. In this decision, the Department determined that Ms. Butters was ineligible to receive unemployment insurance benefits from December 19 through December 25, 2010 because she did not establish justifiable cause for failing to participate in reemployment services.

The case was transmitted from Workforce Development to the Department of Inspections and Appeals on February 14, 2011 to schedule a contested case hearing. A Notice of Telephone Hearing was mailed to all parties on February 23, 2011. On March 25, 2011, the parties convened for a telephone appeal hearing before Administrative Law Judge Laura Lockard. Workforce advisor Theresa Glick represented the Department and appellant Judith Butters appeared. The Department submitted Exhibits 1 through

3, which were admitted as evidence in the case.

After some discussion on the record, the Department acknowledged that Ms. Butters had justifiable cause for failure to attend reemployment services for the dates in question. The Department determined that it would reverse its December 22, 2010 decision that disqualified Ms. Butters from receiving unemployment insurance benefits from December 19 through December 25, 2010.

The Department's determination to reverse the decision under appeal has made the appellant's case moot as she will receive the relief that she sought through the appeal process.

### **DECISION**

The appellant's appeal is dismissed as moot. The Department shall reverse the disqualification for the week of December 19 through December 25, 2010. The Department shall take any action necessary to implement this decision.

lel