

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

**Appeal Number:** 13IWDUI129  
**OC:** 12/30/12  
**Claimant:** Appellant (2)

**DECISION OF THE ADMINISTRATIVE LAW JUDGE**

**THERESA KLEVE  
106 MECHANIC STREET, APT 3  
FAYETTE, IA 52142**

**IOWA WORKFORCE DEVELOPMENT  
REEMPLOYMENT SERVS. COORD.  
SHANLYN SEIVERT  
430 EAST GRAND AVE.  
DES MOINES IA 50309**

JONI BENSON, IWD  
THERESA McCABE, 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.

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(Administrative Law Judge)

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March 20, 2013  
(Dated and Mailed)

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Dismissal of Appeal without Prejudice – 481 Iowa Administrative Code 10.24

**STATEMENT OF THE CASE**

Claimant Theresa Kleve filed an appeal from a decision issued by Iowa Workforce Development (“IWD”) dated March 1, 2013, reference 02. IWD found Ms. Kleve was not eligible to receive unemployment benefits as of February 24, 2013, because she failed to establish justifiable cause for failing to participate in reemployment services.

IWD transmitted the case to the Department of Inspections and Appeals to schedule a contested case hearing. A contested case hearing was scheduled for April 26, 2013, before Administrative Law Judge Robert H. Wheeler.

After transferring the file, IWD issued another decision, dated March 15, 2013, stating all benefits had been paid to Ms. Kleve and that she was not disqualified from receiving unemployment benefits. Because no issue remains for resolution in this administrative appeal, the appeal is dismissed. 481 IAC 10.24(1).

### **DECISION**

This appeal is dismissed because no issue remains for resolution in this administrative appeal.

rhw