

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**ANH N TRAN**  
Claimant

**APPEAL NO. 14A-UI-09646-H2T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 08/17/14**  
**Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able and Available

**STATEMENT OF THE CASE:**

The claimant filed a timely appeal from the September 11, 2014, reference 02, decision that denied benefits due to the claimant's failure to provide proof of citizenship. Prior to a hearing being scheduled, the agency issued a new decision that allowed benefits as the claimant had provided the required documentation. Because of subsequent agency action, the hearing was not necessary.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: The representative's decision the claimant appealed from dated September 11, 2014 reference 02 denied benefits effective August 17, 2014. In a representative's decision dated September 16, 2014, reference 03 amending reference 02, the agency reversed that denial and allowed benefits effective August 17, 2014. It was found that the claimant did have proof of citizenship.

**REASONING AND CONCLUSIONS OF LAW:**

Inasmuch as the agency reversed the prior disqualification prior to the hearing, there is no issue for the administrative law judge to adjudicate.

The claimant is able to and available for work and does have the requisite proof of citizenship.

**DECISION:**

The representative's decision dated September 11, 2014, reference 02 is reversed so as to be consistent with the subsequent agency action. Benefits are allowed, provided the claimant is otherwise eligible.

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Teresa K. Hillary  
Administrative Law Judge

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Decision Dated and Mailed

tkh/pjs