

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

TERESA BREWINGTON
Claimant

APPEAL 14A-UI-09823-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**JSR IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 08/10/14
Claimant: Appellant (2)**

Iowa Code § 96.4(3) – Able and Available

STATEMENT OF THE CASE:

The claimant filed an appeal from the September 16, 2014 (reference 02) unemployment insurance decision that denied benefits. Prior to the hearing being held, the Agency issued a new decision which made a hearing unnecessary.

ISSUE:

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 16, 2014 reference 02 denied benefits effective September 14, 2014. In a representative's decision dated September 23, 2014 (reference 03) amending reference 02, the Agency reversed that denial and allowed benefits effective September 14, 2014. The claimant did not fail to report as directed.

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.

DECISION:

The representative's decision dated September 16, 2014 (reference 02) is reversed so as to be consistent with the subsequent Agency action. Benefits are allowed, provided the claimant is otherwise eligible.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

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