

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

DECISION OF THE ADMINISTRATIVE LAW JUDGE

DEBBY FOUST
1517 HIGH STREET
KEOKUK, IA 52632

IOWA WORKFORCE DEVELOPMENT
INVESTIGATIONS AND RECOVERY
KAREN VON BEHREN, INVESTIGATOR

TERESA HILLARY, IWD

Appeal Number: 14IWDUI051

OC: 12/16/12

Claimant: Appellant (6)

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, 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.

(Administrative Law Judge)

February 27, 2014

(Decision Dated & Mailed)

STATEMENT OF THE CASE

Debby Foust filed an appeal from a decision issued by Iowa Workforce Development (the Department) dated January 8, 2014 (reference 03). In this decision, the Department determined that Foust was overpaid unemployment insurance benefits in the amount of \$296 for the week of May 26 through June 1, 2013 because of a failure to report wages earned with Matrix Metals LLC.

The case was transmitted from Workforce Development to the Department of Inspections and Appeals on January 28, 2014 to schedule a contested case hearing. A Notice of Telephone Hearing was mailed to all parties on January 31, 2014 scheduling a hearing for February 27, 2014 before Administrative Law Judge Laura Lockard. Prior to the hearing date, the Department issued a decision reducing the overpayment to \$0

based on information provided by the employer indicating that it reported Foust's wages to the Department in error.

The Department's decision dated February 5, 2014 reducing the Appellant's overpayment to \$0 has made the Appellant's case moot as this is the relief she sought through the appeal process.

DECISION

The Appellant's appeal is dismissed as moot. The Department has amended its decision to eliminate the overpayment that the Appellant challenged. The Department shall take any action necessary to implement this decision.

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