

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

DANETTE L MEYER
Claimant

GOLDMAN ENTERPRISES LLC
Employer

APPEAL 18A-UI-03618-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**OC: 11/26/17
Claimant: RESPONDENT (6)**

96.9-2 – Dismissal of Appeal
Iowa Code § 96.7(2)a(6) – Appeal from the Statement of Charges

STATEMENT OF THE CASE:

An appeal was set up from a statement of charges mailed on February 9, 2018 for the fourth quarter of 2017. Iowa Workforce Development (IWD) inadvertently set up the appeal twice. The employer's appeal to the statement of charges has already been heard on March 27, 2018 and a decision issued in appeal number 18A-UI-02729-CLT on March 28, 2018 by Administrative Law Judge Christine A. Louis.

ISSUE:

Should the appeal in this matter be dismissed as moot?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: The employer's appeal to the fourth quarter 2017 statement of charges has already been heard and decided in appeal number 18A-UI-02729-CLT.

REASONING AND CONCLUSIONS OF LAW:

Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). "A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent." *Iowa Bankers Ass'n v. Iowa Credit Union Dep't*, 335 N.W.2d 439, 442 (Iowa 1983).

The employer's appeal to the fourth quarter 2017 statement of charges has already been decided in another case. Thus, the issue in this appeal is now moot and this duplicate appeal should be and is dismissed.

DECISION:

The appeal in this matter is dismissed. Appeal number 18A-UI-02729-CLT remains in effect unless timely appealed and overturned by a higher authority. The hearing scheduled for April 10, 2018 at 3:00 p.m. is cancelled.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs