

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

TRENT J LEE
Claimant

APPEAL 17A-UI-05629-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 02/19/17
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-24.2(1)e – Failure to Report
Iowa Code § 96.4(3) – Available to Work
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the unemployment insurance decision dated May 26, 2017, (reference 02) that he was not eligible for unemployment insurance benefits as of May 21, 2017, because he failed to report for a reemployment and eligibility assessment on May 24, 2017, as required. Iowa Workforce Development issued a favorable decision to the claimant, dated June 12, 2017, (reference 03) stating that he was eligible for unemployment insurance benefits effective June 4, 2017 because he had participated in the reemployment and eligibility assessment. Claimant exhausted his maximum benefit amount as of August 5, 2017, which makes the issue on appeal moot.

Due notice was issued for a hearing scheduled for August 8, 2017 at 11:00 a.m. Velma Sallis, REA Advisor, appeared on behalf of Iowa Workforce Development. Claimant did appear. However, the issue on appeal is moot and no hearing was necessary.

ISSUE:

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to this claimant and his appeal. An unemployment insurance decision dated May 26, 2017, (reference 02) determined that the claimant was not eligible for unemployment insurance benefits as of May 21, 2017, because he failed to report to Iowa Workforce Development as required for a reemployment and eligibility assessment. The claimant appealed this decision.

Iowa Workforce Development issued a favorable decision to the claimant, dated June 12, 2017 (reference 03), stating that claimant was eligible for unemployment insurance benefits effective June 4, 2017 because he participated in the reemployment and eligibility assessment. Claimant

has exhausted his maximum benefit amount as of August 5, 2017. Because claimant has exhausted his maximum benefit amount, the appeal moot.

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 claimant exhausted his maximum benefit amount, making this appeal moot. The appeal of the representative’s decision dated May 26, 2017, (reference 02) is therefore dismissed.

DECISION:

The appeal of the unemployment insurance decision dated May 26, 2017, (reference 02) is dismissed as moot.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs