

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

SUMMER J MANLEY
Claimant

APPEAL 21R-UI-09751-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

SIGNATURE HEALTHCARE LLC
Employer

**OC: 04/12/20
Claimant: Appellant (6)**

Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 – Motions

STATEMENT OF THE CASE:

Due to agency error, an appeal was opened on the Iowa Workforce decision date July 1, 2020, reference 02, that found the claimant/appellant was not eligible for unemployment insurance benefits. The appeal should have been opened on a remand decision dated July 1, 2020, reference 01, from the Employment Appeal Board.

ISSUE:

The issue is whether the appeal should be dismissed due to agency error.

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The appeal was based on agency error. The appeal is now opened on a remand decision dated July 1, 2020, reference 01, from the Employment Appeal Board.

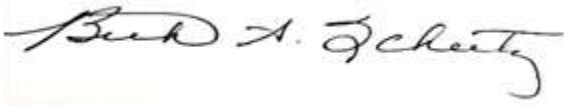
REASONING AND CONCLUSIONS OF LAW:

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).

Subsequent agency action has made this appeal moot. The appeal was based on agency error. The appeal is now opened on a remand decision dated July 1, 2020, reference 01, from the Employment Appeal Board.

DECISION:

The representative’s, July 1, 2020 decision (reference 02) is approved. The appeal is dismissed as moot.

A handwritten signature in black ink, reading "Beth A. Scheetz". The signature is written in a cursive style with a large initial 'B' and 'S'. The signature is positioned above a horizontal line.

Beth A. Scheetz
Administrative Law Judge

May 12, 2021
Decision Dated and Mailed

bas/ol