

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CARLA S HICKLIN
Claimant

APPEAL 19A-UI-02580-H2T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

**OC: 01/27/19
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 March 18, 2019 (reference 03) that she was not eligible for unemployment insurance benefits as of March 10, 2019. Iowa Workforce Development issued a favorable decision to the claimant, dated April 3, 2019, (reference 04) stating that she was eligible for unemployment insurance benefits effective March 10, 2019. Due notice was issued for a hearing scheduled for April 17, 2019 at 11:00 a.m. The agency moved to dismiss the claimant's appeal.

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 her appeal. An unemployment insurance decision dated March 18, 2019, (reference 03) determined that the claimant was not eligible for unemployment insurance benefits as of March 10, 2019, because she 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 April 3, 2019 (reference 04), stating that claimant was eligible for unemployment insurance benefits effective March 10, 2019. Claimant has not been denied payment of unemployment insurance benefits for any weeks due to the agency decision in reference 04.

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 has not been denied payment of any unemployment insurance benefits, making her appeal moot. The appeal of the representative’s decision dated March 18, 2019 (reference 03) is therefore dismissed.

DECISION:

The appeal of the unemployment insurance decision dated March 18, 2019, (reference 03), is dismissed as moot. The hearing set for April 17, 2019 at 11:00 a.m. is cancelled.

Teresa K. Hillary
Administrative Law Judge

Decision Dated and Mailed

tkh/rvs