

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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**TAMMY L BAKER**  
Claimant

**R J PERSONNEL INC**  
Employer

**APPEAL 16A-UI-05319-JCT**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**OC: 03/27/16**  
**Claimant: Appellant (6)**

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Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal  
Iowa Admin. Code r. 871-26.11 – Motions  
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the April 12, 2016, reference 01, unemployment insurance decision that she was not eligible to receive unemployment insurance benefits due to her separation from RJ Personnel Inc. Before a hearing was scheduled for this appeal, the claimant received a subsequent decision from Iowa Workforce Development, dated May 2, 2016, reference 03. This decision made the issue on appeal moot as the reference 01 decision was issued in error, and declared null and void. Therefore, no testimony or additional evidence was necessary. No hearing was held.

**ISSUES:**

Should the most recent unemployment insurance decision be affirmed?

Should the appeal be dismissed as moot?

**FINDINGS OF FACT:**

The pertinent agency documents relating to this claimant show that an unemployment insurance decision dated April 12, 2016, reference 01, determined that she was not eligible to receive unemployment insurance benefits due to her separation from RJ Personnel, Inc. Before a hearing was scheduled, Iowa Workforce Development issued a subsequent decision to the claimant, dated May 2, 2016, reference 03, stating that the reference 01 decision was issued in error, and declared null and void.

**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The decision appealed was originally made by the agency in error, and later declared null and void, making this appeal moot. The appeal of the original representative’s decision dated April 12, 2016, bearing reference 01, is dismissed. The most recent decision, dated May 2, 2016, reference 03, is affirmed.

**DECISION:**

The request to dismiss the appeal of the unemployment insurance decision dated April 12, reference 01, is approved. The decision issued on May 2, 2016, reference 03, is affirmed. The appeal is dismissed as moot.

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Jennifer L. Beckman  
Administrative Law Judge

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Decision Dated and Mailed

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