

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

SHANNON L JOHNSON
Claimant

PRN STAFFING INC
Employer

APPEAL 18A-UI-02569-JCT
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 02/04/18
Claimant: Appellant (6)

Iowa Code § 96.6(3) – Appeals
Iowa Admin. Code r. 871-24.19(1) – Determination and Review of Benefit Rights
Iowa Admin. Code r. 871-24.28(6-8) – Prior Adjudication
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant, Shannon L. Johnson., filed an appeal from the unemployment insurance decision dated February 14, 2018, (reference 02), that denied benefits based upon a prior adjudication. A telephone hearing was scheduled on March 23, 2018. Before the hearing date, the claimant and employer received a favorable decision from Iowa Workforce Development, dated March 2, 2018, (reference 04). The claimant is now allowed benefits and this employer is relieved of charges. Because the issue appealed was resolved administratively prior to the hearing in the appellant's favor (see the reference 04 decision), no testimony was necessary and no hearing was held.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?
Should the appeal be dismissed as moot?

FINDINGS OF FACT:

Having reviewed all of the evidence in the record, the administrative law judge finds: In a September 28, 2017 (reference 05) decision under the claimant's prior benefit year, she was allowed benefits and the employer was relieved of charges after she quit her part-time employment. The claimant then established a claim for unemployment insurance benefits with an effective date of February 4, 2018. The claimant/appellant filed an appeal from an unemployment insurance decision dated February 14, 2018 (reference 02) which denied benefits and concluded the matter had been previously adjudicated. A telephone hearing was scheduled for this appeal on March 23, 2018. Before the hearing date, the claimant and employer received a favorable decision from Iowa Workforce Development, dated March 2, 2018 (See the reference 04 decision.) The reference 04 decision specifically stated that the

reference 02 decision was null and void. The reference 05 decision allowed the claimant benefits but relieved the employer of any charges. The most recent decision (reference 04) made the issue on appeal moot. Therefore, no testimony or additional evidence is necessary. No hearing is needed.

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)

Since the decision appealed has been amended in favor of the appellant (by the reference 04 decision), the appeal for (reference 02) decision is moot. The decision issued on March 2, 2018, (reference 04), is affirmed.

The hearing for March 23, 2018 is cancelled.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated February 14, 2018, (reference 02), is approved. The appeal is dismissed as moot. The decision issued on March 2, 2018, (reference 04), is affirmed.

Jennifer L. Beckman
Administrative Law Judge

Decision Dated and Mailed

jlb/scn