

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**JEFFREY S TAYLOR**  
Claimant

**AMERISERVE INTERNATIONAL INC**  
Employer

**APPEAL 20A-UI-05583-AW-T**  
**ADMINISTRATIVE LAW JUDGE**  
**DECISION**

**OC: 02/09/20**  
**Claimant: Respondent (6)**

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Iowa Code § 96.6(2) – Filing – Timely protest  
Iowa Code § 96.7(2)(a)(6) – Appeal from the Statement of Charges  
Iowa Admin. Code r. 871-26.8(1) – Dismissal of Appeal

**STATEMENT OF THE CASE:**

Employer filed an appeal from the Statement of Charges mailed May 8, 2020 for the first quarter of 2020. Prior to a hearing being held, it was discovered that the agency attributed employer's appeal to the incorrect claimant. This appeal was mistakenly set up in error.

**ISSUE:**

Whether the appeal should be dismissed because it was set up in error.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Employer appealed the Statement of Charges mailed May 8, 2020 for the first quarter of 2020. The agency set up employer's appeal of the Statement of Charges for the incorrect claimant. The above-captioned claimant was not listed on the Statement of Charges and has never worked for employer. This appeal should be dismissed.

**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). Claimant was not listed on the Statement of Charges from which employer appealed. Claimant has never worked for employer. This appeal was set up in error and should be dismissed.

**DECISION:**

The above-captioned appeal was set up in error. Accordingly, this appeal is dismissed.



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Adrienne C. Williamson  
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July 6, 2020  
Decision Dated and Mailed

acw/sam