

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JONATHAN C KOHL
Claimant

APPEAL 20A-UI-14166-S1-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 08/23/20
Claimant: Appellant (6)

Iowa Code § 96.4(3) – Available for work
Iowa Admin. Code r. 871-24.2(1)e – Procedures for workers desiring to file a claim for benefits
Iowa Admin. Code r. 871-24.23 (11) – Failure to Report
Iowa Code § 96.4(7) – Reemployment services
Iowa Admin. Code r. 871-24.6 – Profiling for reemployment services
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 – Motions

STATEMENT OF THE CASE:

An appeal was filed from the October 30, 2020, reference 01 decision that denied benefits as of October 25, 2020. A hearing was scheduled for January 6, 2021. Prior to the hearing being held, it was determined that a hearing was not deemed necessary to be held in order to make a decision for reasons which will appear in the Findings of Fact.

ISSUE:

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

FINDINGS OF FACT:

The administrative law judge, having considered all of the evidence in the record, finds that: The appeal was based upon a denial of benefits as of October 25, 2020, because the claimant did not report for a reemployment and eligibility assessment. A decision dated December 29, 2020, reference 03, the agency found the claimant eligible to receive unemployment insurance benefits as of October 25, 2020, because he had participated in the assessment.

REASONING AND CONCLUSIONS OF LAW:

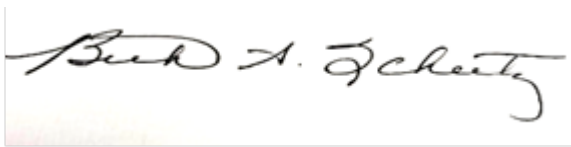
Generally, courts and administrative tribunals do not decide issues when the underlying controversy is moot. *Rhiner v. State*, 703 N.W.2d 174, 176 (Iowa 2005). “A case is moot if it no longer presents a justiciable controversy because the issues involved are academic or nonexistent.” *Iowa Bankers Ass’n v. Iowa Credit Union Dep’t*, 335 N.W.2d 439, 442 (Iowa 1983).

Subsequent agency action in favor of the appellant made this appeal moot. The appeal of the original representative's decision dated October 30, 2020 (reference 01) is dismissed as moot. The hearing scheduled for January 6, 2021, at 10:00 a.m. is cancelled.

DECISION:

The representative's October 30, 2020 decision (reference 01) is dismissed. The appeal is dismissed as moot.

The hearing scheduled on January 6, 2021, at 10:00 a.m. is cancelled.

A handwritten signature in black ink, reading "Beth A. Scheetz", is positioned above a horizontal line.

Beth A. Scheetz
Administrative Law Judge

January 25, 2021
Decision Dated and Mailed

bas/scn