

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

**PATRICIA E MAINES**  
Claimant

**APPEAL 15A-UI-11634-EC-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 12/28/14  
Claimant: Appellant (6)**

Iowa Code §96.4(3) – Reporting Requirements  
Iowa Admin. Code r. 871-24.2(1)e – Reporting Requirements  
Iowa Admin. Code r. 871-24.11 – Reporting Requirements

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from the October 12, 2015 (reference 04) unemployment insurance decision that she failed to report to the workforce development center as instructed. This decision denied benefits as of October 4, 2015. A telephone hearing was scheduled on November 12, 2015 at 9:00 a.m. Prior to the hearing date, the claimant received two favorable decisions from Iowa Workforce Development; both dated October 27, 2015. These decisions made the issues on appeal moot. Therefore, no testimony or additional was necessary. No hearing is needed.

**ISSUES:**

Should the most recent unemployment insurance decisions 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 as follows: The claimant/appellant filed an appeal from the October 12, 2015 (reference 04) unemployment insurance decision that she failed to report to the workforce development center as instructed. This decision denied benefits as of October 4, 2015.

A telephone hearing was scheduled for this appeal on November 12, 2015 at 9:00 a.m. Prior to the hearing date, the claimant received two favorable decisions from Iowa Workforce Development; both dated October 27, 2015.

The decision dated October 27, 2015 (reference 05) stated that she is eligible for benefits, and further stated that she provided an acceptable reason for her failure to report on October 4, 2015 as directed.

The decision dated October 27, 2015 (reference 06) stated that she is eligible for benefits beginning on September 13, 2015. This decision acknowledged that she simply answered a question incorrectly on the claim form, confirming the assertion the claimant made in her appeal.

These decisions made the only issues on appeal moot. Therefore, no testimony or additional evidence is necessary and 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)

The decision appealed was amended in favor of the appellant, making this appeal moot. The most recent decisions, dated October 27, 2015 (reference 05) and (reference 06) are affirmed.

#### **DECISION:**

The request to dismiss the appeal of the unemployment insurance decision dated October 12, 2015 (reference 04) is approved. The decision issued on October 27, 2015 (reference 05) is affirmed. The decision issued on October 27, 2015 (reference 06) is affirmed. The appeal is dismissed as moot. Benefits are allowed, as stated in the most recent decisions. The hearing scheduled on November 12, 2015 at 9:00 a.m. is canceled.

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Emily Gould Chafa  
Administrative Law Judge

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Decision Dated and Mailed

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