

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

CHAD J WEIGANDT
Claimant

APPEAL 21A-UI-01841-S1-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE DEVELOPMENT
REEMPLOYMENT SERVICES**

OC: 08/02/20
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 December 14, 2020, reference 03 decision that denied benefits as of December 6, 2020. A hearing was scheduled for February 24, 2021. 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 decision dated December 14, 2020, reference 03, that denied benefits as of December 6, 2020, for failure to report for RESEA. A decision was issued on February 12, 2021, reference 04, allowing benefits as of December 6, 2020, because the claimant participated in RESEA.

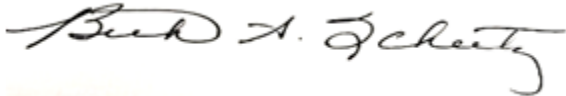
REASONING AND CONCLUSIONS OF LAW:

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 hearing scheduled for February 24, 2020, at 9:00 a.m. is cancelled.

DECISION:

The representative's December 14, 2020 decision (reference 03) is dismissed. The appeal is dismissed as moot due to subsequent agency action. The hearing scheduled on February 24, 2021, at 9:00 a.m. is cancelled.



Beth A. Scheetz
Administrative Law Judge

February 23, 2021
Decision Dated and Mailed

bas/lj