

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**CHRISTIAN MAASKE**  
Claimant

**APPEAL 21A-UI-12208-DB-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE DEVELOPMENT  
DEPARTMENT**

**OC: 04/26/20**  
**Claimant: Appellant (6)**

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PL 116-136 Section 2107 – Federal Pandemic Emergency Unemployment Compensation  
Iowa Code §96.6(2) – Timeliness of Appeal  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Code Ch. 96 – Iowa Employment Security Act  
Iowa Admin. Code r. 871-26.8(1) – Appeal Dismissal  
Iowa Admin. Code r. 871-24.19(3) – Subsequent Agency Action

**STATEMENT OF THE CASE:**

The claimant/appellant filed an appeal from an unemployment insurance decision dated April 15, 2021 (reference 02) that found the claimant was not eligible for Federal Pandemic Emergency Unemployment Compensation (PEUC) benefits in Iowa effective July 25, 2020 as information indicated that he would be eligible for regular unemployment insurance benefits in the State of Nevada. Iowa Workforce Development issued a decision dated April 24, 2021 (reference 04) which found the April 15, 2021 (reference 02) decision was null and void, as such, the appeal in this matter is moot. The hearing scheduled for July 22, 2021 at 9:00 a.m. is cancelled.

**ISSUE:**

Should the appeal be dismissed as moot based on subsequent agency action?

**FINDINGS OF FACT:**

The available information in the department's administrative file establishes the following facts: The department issued a decision dated April 15, 2021 (reference 02) that found the claimant was not eligible for PEUC benefits effective July 25, 2020. The department later issued a decision on April 24, 2021 (reference 04) which found the decision issued April 15, 2021 (reference 02) was null and void. Subsequent agency action has made the appeal of the decision dated April 15, 2021 (reference 02) moot as it was already determined to be null and void.

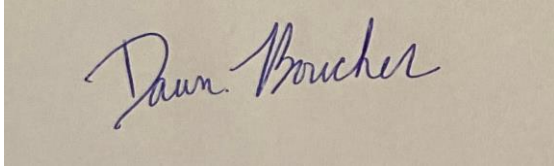
**REASONING AND CONCLUSIONS OF LAW:**

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 only issue on this appeal is now moot because of subsequent agency action.

**DECISION:**

The appeal of the unemployment insurance decision dated April 15, 2021 (reference 02) is dismissed as moot. The hearing scheduled for July 22, 2021 at 9:00 a.m. is cancelled.

A rectangular area containing a handwritten signature in blue ink that reads "Dawn Boucher". The signature is written in a cursive style.

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Dawn Boucher  
Administrative Law Judge

July 29, 2021  
Decision Dated and Mailed

db/mh