

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**MARSHALL W MEIER**  
Claimant

**DEE ZEE INC**  
Employer

**APPEAL 21A-UI-19172-LJ-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 04/18/21  
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Ability to and Availability for Work  
Iowa Admin. Code r. 871-24.2(1)E – Reporting Requirements  
Iowa Code Ch. 17A – Iowa Administrative Procedure Act  
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action  
Iowa Admin. Code r. 871-26.11 - Motions

**STATEMENT OF THE CASE:**

On August 30, 2021, claimant Marshall W. Meier filed an appeal from the unemployment insurance decision dated July 20, 2021 (reference 01), that he was not eligible for unemployment insurance benefits as of April 18, 2021, because he failed to report as directed. Before a hearing was held, Iowa Workforce Development issued a decision dated August 24, 2021 (reference 03), which amended the decision dated July 20, 2021 (reference 01) and rendered it moot. This decision made the issue on appeal moot.

**ISSUES:**

Should the appeal be dismissed as moot?

**FINDINGS OF FACT:**

These findings of fact are based on the pertinent agency documents relating to this claimant and his appeal. An unemployment insurance decision dated July 20, 2021 (reference 01), determined that the claimant was not eligible for unemployment insurance benefits as of April 18, 2021, because he failed to report to Iowa Workforce Development as required. Subsequently, Iowa Workforce Development issued a decision dated August 24, 2021 (reference 03), that determined claimant was not eligible for unemployment insurance benefits as of April 18, 2021, because he was on an approved leave of absence. The decision dated August 24, 2021 (reference 03), amended the previous decision and rendered the appeal of the previous decision moot.

Claimant has filed an appeal of the decision dated August 24, 2021 (reference 03). A new appeal case number (21A-UI-19173) has been set up and both parties will receive a hearing notice with the date and time of the hearing. Both parties must register a telephone number to be contacted at for the hearing by following the instructions on the hearing notice.

**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 its entirety, making this appeal moot. The appeal of the original representative’s decision dated July 20, 2021, is dismissed.

Claimant has filed an appeal of the decision dated August 24, 2021 (reference 03). A new appeal case number (21A-UI-19173) has been set up and both parties will receive a hearing notice with the date and time of the hearing. Both parties must register a telephone number to be contacted at for the hearing by following the instructions on the hearing notice.

**DECISION:**

The appeal of the unemployment insurance decision dated July 20, 2021 (reference 01) is dismissed as moot. The appeal is dismissed as moot.



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Elizabeth A. Johnson  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

September 29, 2021  
Decision Dated and Mailed

lj/scn

**\*\*NOTE TO THE PARTIES\*\***

A new appeal case number – 21A-UI-19173 – has been set up and both parties will receive a hearing notice with the date and time of the hearing. Both parties must register a telephone number to be contacted at for the hearing by following the instructions on the hearing notice.