

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

KYLIE R BROWN
Claimant

WAUKEE COMMUNITY SCHOOL DISTRICT
Employer

APPEAL 20A-UI-04425-S1-T
**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 03/22/20
Claimant: Appellant (6)

Iowa Admin. Code r. 871-26.11 – Motions
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act

STATEMENT OF THE CASE:

An appeal was filed from the May 19, 2020, (reference 01) decision that found the appellant eligible to receive unemployment insurance benefits. Prior to the hearing being scheduled, it was determined that the appellant did not intend to appeal this representative's decision. An appeal was mistakenly set up in error.

ISSUE:

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

FINDINGS OF FACT:

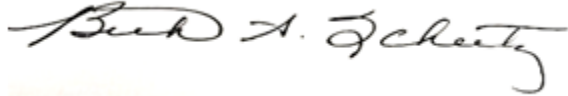
The administrative law judge, having considered all of the evidence in the record, finds that: The appeal was based upon a favorable decision to the appellant. The appeal should be dismissed as this appeal was set up in error.

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 appeal of the original representative's decision dated May 19, 2020 (reference 01) is dismissed as moot.

DECISION:

The representative's May 19, 2020 decision (reference 01) is approved. The appeal is dismissed as moot.



Beth A. Scheetz
Administrative Law Judge

July 1, 2020
Decision Dated and Mailed

bas/mh