

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

JULIAN ROBY
Claimant

JOHN DEERE COMPANY
Employer

APPEAL 22A-UI-03468-JC-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

OC: 08/22/21
Claimant: Appellant (6)

Iowa Code § 96.4(3) – Ability to and Availability for Work
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Code Ch. 96 – Iowa Employment Security Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.11 - Motions
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

STATEMENT OF THE CASE:

The claimant/appellant, Julian Roby, filed an appeal from the January 12, 2022 (reference 03) Iowa Workforce Development (“IWD”) unemployment insurance decision that denied benefits. After proper notice, a telephone hearing was held on March 28, 2022. The hearing was held together with Appeal 22A-04950-JC-T. The claimant participated personally. The employer did not attend the hearing. The administrative law judge took official notice of the administrative records. Based on the evidence, the arguments presented, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision. Department Exhibit D-1 was admitted.

ISSUE:

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the pertinent agency documents relating to the parties and the claimant’s appeal. IWD issued a January 12, 2022 (reference 03) initial decision which denied benefits.

IWD then issued a subsequent decision dated February 22, 2022 (reference 04) which stated the reference 03 decision was amended by the reference 04 decision and therefore null and void. This decision made the issue on appeal moot. Claimant also appealed the reference 04 decision and that is addressed in Appeal 22A-04950-JC-T. Put simply: This appeal hearing was scheduled 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 decision appealed was amended in favor of the appellant, making this appeal moot. The hearing was scheduled in error. Claimant's appeal to the overpayment by way of the reference 04 decision is not impacted by this decision. That appeal is addressed in Appeal 22A-04950-JC-T.

DECISION:

The appeal of the unemployment insurance decision dated January 12, 2022 (reference 03) is dismissed as moot. The matter has been addressed in subsequent agency action through the reference 04 decision/ Appeal 22A-04950-JC-T.



Jennifer L. Beckman
Administrative Law Judge
Unemployment Insurance Appeals Bureau
Iowa Workforce Development
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Fax 515-478-3528

April 13, 2022
Decision Dated and Mailed

jlb/mh