

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

EMILIO PENA JR
Claimant

APPEAL 22A-UI-10845-AW-T
ADMINISTRATIVE LAW JUDGE
DECISION

**IOWA WORKFORCE DEVELOPMENT
DEPARTMENT**

OC: 03/13/22
Claimant: Appellant (6)

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:

Claimant filed an appeal from the April 20, 2022 (reference 04) unemployment insurance decision that denied benefits. Before a hearing was held, Iowa Workforce Development issued a favorable decision to claimant on June 7, 2022 (reference 14). This decision made the issue on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing was held. Official notice is taken of the administrative record.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?
Should the appeal be dismissed as moot?

FINDINGS OF FACT:

These findings of fact are based on the administrative record:

An unemployment insurance decision dated April 20, 2022 (reference 04) determined that the claimant was not eligible for unemployment insurance benefits as of April 17, 2022 because claimant failed to report to Iowa Workforce Development (IWD) as required. The claimant appealed this decision.

Before a hearing was held, IWD issued a decision on June 7, 2022 (reference 14) finding the claimant had since reported as required and is eligible for benefits as of April 17, 2022 as long as claimant meets all the other eligibility requirements.

IWD asked that the appeal be dismissed. The June 7, 2022 decision resolved the only issue on appeal in the claimant's favor resulting in no interruption in benefits.

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 appeal of the original representative's decision dated April 20, 2022 is dismissed. The most recent decision dated June 7, 2022 remains in effect.

DECISION:

The appeal is dismissed as moot. No hearing shall be held.



Adrienne C. Williamson
Administrative Law Judge
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Iowa Workforce Development
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June 22, 2022
Decision Dated and Mailed

acw/ACW