

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

MATTHEW C JACOBS
Claimant

APPEAL 17A-UI-03931-DB-T

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

**OC: 05/15/16
Claimant: Appellant (6)**

Iowa Code § 96.4(3) – Able and Available for Work
Iowa Admin. Code r. 871-24.2(1)e – Failure to Report
Iowa Code Ch. 17A – Iowa Administrative Procedure Act
Iowa Admin. Code r. 871-24.19(3) – Claims Bureau Subsequent Action
Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal
Iowa Admin. Code r. 871-26.11 - Motions

STATEMENT OF THE CASE:

The claimant/appellant filed an appeal from the unemployment insurance decision dated March 27, 2017, reference 12, that denied unemployment insurance benefits due to his failure to report to Iowa Workforce Development as required. A telephone hearing was scheduled on May 4, 2017 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated April 18, 2017, reference 14. This decision made the issues on appeal moot. Therefore, no testimony or additional evidence was necessary. No hearing is needed to resolve this appeal.

ISSUES:

Should the most recent unemployment insurance decision be affirmed?

Should the appeal be dismissed as moot?

FINDINGS OF FACT:

The pertinent agency documents relating to this claimant and this appeal establish the following facts: The claimant/appellant filed an appeal from the unemployment insurance decision dated March 27, 2017, reference 12, denying unemployment insurance benefits as of 03/19/17. This decision stated that he failed to report to Iowa Workforce Development as required.

A telephone hearing was scheduled for this appeal on May 4, 2017 at 9:00 a.m. Before the hearing date, the claimant received a favorable decision from Iowa Workforce Development, dated April 18, 2017, reference 14. The decision dated April 18, 2017, reference 14, allowed benefits beginning 03/19/17, without a gap in coverage.

This most recent decision made the only issue on appeal moot. Therefore, no testimony or additional evidence is necessary. No hearing is needed for this appeal.

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 recent decision, dated April 18, 2017, reference 14, restored the claimant’s eligibility for benefits without a gap in coverage. This decision resolved the issue on appeal in the appellant’s favor, making this appeal moot.

DECISION:

The request to dismiss the appeal of the unemployment insurance decision dated March 27, 2017, reference 12, is approved. The decision issued on April 18, 2017, reference 14, is affirmed. The appeal is dismissed as moot.

The hearing scheduled for this appeal on May 4, 2017 at 9:00 a.m. is canceled.

Dawn Boucher
Administrative Law Judge

Decision Dated and Mailed

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