

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-0978

Application for Review Dismissed

PROCEDURAL HISTORY: On April 21, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant failed to accept an offer of suitable work without good cause (decision # 105026). Claimant filed a timely request for hearing. On May 19, 2014, ALJ R. Davis conducted a hearing, and on May 21, 2014, issued Hearing Decision 14-UI-18124, concluding claimant did not fail to accept an offer of suitable work without good cause. On May 30, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

FINDINGS OF FACT: Hearing Decision 14-UI-18124, the hearing decision under review, allowed claimant benefits.

CONCLUSIONS AND REASONS: We find that this application for review presents no justiciable controversy and should therefore be dismissed.

Upon our review of the record in this case, we found no portion of the hearing decision that was adverse to claimant or that had any practical effect on the claimant's rights or interests. Claimant has not assigned error to any portion of the decision and has not requested reversal of any portion of the decision. In consideration of our obligation to issue decisions that are consistent with sound principles governing judicial review and address only existing controversies between parties, we decline to address matters that will have no practical effect on the rights of the parties to the controversy. *See Barcik v. Kubiacyk*, 321 Or 174, 895 P2d 765 (1995); *Brunnett v. PSRB*, 315 Or 402, 848 P2d 1194 (1992).

Because the case before us presents no justiciable controversy, the application for review of Hearing Decision 14-UI-18124 is dismissed.

DECISION: The application for review filed June 6, 2014 is dismissed. Hearing Decision 14-UI-18124 remains undisturbed.

Susan Rossiter and Tony Corcoran;
J. S. Cromwell, not participating.

DATE of Service: June 6, 2014

NOTE: You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. *See* ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310, or visit the website at <http://courts.oregon.gov/OJD/OSCA/acs/records/AppellateCourtForms.page>.

Note: the above link may be broken due to unannounced changes to the Court of Appeals website, in which case you may contact the Appellate Records at (503) 986-5555.