

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0988

Application for Review Dismissed
No Disqualification

PROCEDURAL HISTORY: On June 18, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision #84622). Claimant filed a timely request for hearing. On July 31, 2015, ALJ Monroe conducted a hearing, and on August 6, 2015, issued Hearing Decision 15-UI-42633, concluding that the employer discharged claimant, but not for misconduct. On August 19, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

FINDINGS OF FACT: The outcome of Hearing Decision 15-UI-42633, 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 had any practical effect on 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); *Brumnett 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 15-UI-42633 is dismissed.

DECISION: The application for review filed on June 18, 2015 is dismissed. Hearing Decision 15-UI-42663 remains undisturbed.

Susan Rossiter and D. P. Hettle, *pro tempore*;

J. S. Cromwell, not participating.

DATE of Service: August 27, 2015

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 Court of Appeals website at courts.oregon.gov. Once on the website, use the ‘search’ function to search for ‘petition for judicial review employment appeals board’. A link to the forms and information will be among the search results.

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