

IN THE COURT OF APPEALS OF IOWA

No. 7-212 / 96-0550

**EDWARD JORDAN d/b/a JORDAN'S
SUPERSERVICE,**

Petitioner-Appellant,

vs.

**IOWA DEPARTMENT OF COMMERCE,
ALCOHOLIC BEVERAGES DIVISION,**

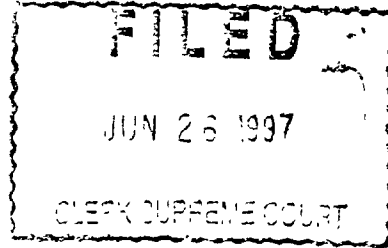
Respondent-Appellee,

and

IOWA DEPARTMENT OF PUBLIC SAFETY,

Intervenor-Appellee.

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Appeal from the Iowa District Court for Howard County, Margaret L. Lingreen, Judge.

Petitioner appeals from district court's decision on judicial review affirming respondent's decision suspending his beer license for after-hours serving of alcohol in violation of Iowa Code section 123.49(2)(b) (1993). **DISMISSED AS MOOT.**

Kevin E. Schoeberl of Story & Schoeberl Law Firm, Cresco, for appellant.

Thomas J. Miller, Attorney General, and Andrew Anderson, Assistant Attorney General, for appellees.

Heard by Sackett, P.J., and Vogel, J., and Schlegel, S.J.*

* Senior judge from the Iowa Court of Appeals serving on this court by order of the Iowa Supreme Court.

SACKETT, P.J.

Petitioner-appellant Edward Jordan owned Jordan's Superservice. He has a beer license for the business. Respondent-appellee Iowa Department of Commerce, Alcoholic Beverages Division, suspended his license for thirty days because it determined he had sold beer after hours. The suspension was affirmed by the district court and this appeal follows.

Jordan appeals contending the administrative law judge erred in admitting evidence of his criminal conviction for such serving and in considering his demeanor at the time of the incident on which the suspension was based. He further contends the record did not provide substantial evidence supporting the suspension.

On March 22, 1996, Jordan filed a notice of appeal. On May 2, 1996, the supreme court granted Jordan's request for a stay of the suspension of his license. On June 14, 1996, the supreme court vacated the stay order. The suspension period has been served. As to Jordan's interest, the question presented is moot.

We may retain an appeal for determination if it involves questions of public interest even if it is moot so far as the particular parties and action. *Maguire v. Fulton*, 179 N.W.2d 508, 510 (Iowa 1970); *Danner v. Hass*, 257 Iowa 654, 659, 134 N.W.2d 534, 539 (1965). Finding no question of public interest, we dismiss the appeal as moot.

APPEAL DISMISSED AS MOOT.