

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

ROSCOE L PERRY
Claimant

APPEAL NO. 11A-UI-15243-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**AVENTURE STAFFING & PROFESSIONAL
SERVICES**
Employer

OC: 07/03/11
Claimant: Appellant (1)

Section 96.4-3 – Eligibility for Benefits
Section 96.6-2 – Timely Appeal

STATEMENT OF THE CASE:

Roscoe L. Perry filed an appeal from an unemployment insurance decision dated September 28, 2011, reference 03, that ruled he was ineligible for unemployment insurance benefits effective September 11, 2011. Due notice was issued for a telephone hearing to be held December 28, 2011. Although Mr. Perry provided a telephone number at which he could be contacted, the number was answered by a recording at the time of the hearing. The administrative law judge let instructions for Mr. Perry to call if he wished to participate. There was no further contact. Under the circumstances, it was not necessary to take testimony from the employer, Aventure Staffing & Professional Services.

ISSUE:

Has the claimant filed a timely appeal?

FINDINGS OF FACT:

The decision from which Roscoe L. Perry has appealed states that it would become final unless an appeal was postmarked by October 8, 2011 or received by the Agency by that date. The appeal was filed on November 28, 2011. The claimant has given no explanation for the delay.

REASONING AND CONCLUSIONS OF LAW:

For the reasons stated in companion decision 11A-UI-15242-AT, the administrative law judge concludes that he lacks jurisdiction to rule on the merits of this case.

DECISION:

The unemployment insurance decision dated September 28, 2011, reference 03, has become final and remains in effect. The claimant is ineligible for unemployment insurance benefits as of September 11, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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