

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

SAMUEL J COLE
Claimant

APPEAL NO. 12A-EUCU-00040-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 07/19/09
Claimant: Appellant (1)

Section 96.3-7 – Recovery of Overpayments
Section 96.6-2 – Timely Appeal

STATEMENT OF THE CASE:

Samuel J. Cole filed an appeal from an unemployment insurance decision dated September 30, 2011, reference 04, that ruled he had been overpaid emergency unemployment compensation benefits totaling \$1,413.74 for the eight weeks ending August 13, 2011. After due notice was issued, a telephone hearing was held February 23, 2012 on a consolidated record with 12A-EUCU-00039-AT.

ISSUE:

Has the claimant filed a timely appeal?

FINDINGS OF FACT:

Samuel J. Cole received the fact-finding decision dated September 30, 2011 that ruled he had been overpaid \$1,413.74 for the eight weeks ending August 13, 2011. He did not file an appeal until late December because he was then employed.

REASONING AND CONCLUSIONS OF LAW:

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

DECISION:

The unemployment insurance decision dated September 30, 2011, reference 04, has become final and remains in effect. The claimant has been overpaid emergency unemployment compensation benefits totaling \$1,413.74 for the eight weeks ending August 13, 2011.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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