

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

---

**KENNETH E CAREY**  
Claimant

**MARING CHIROPRACTIC INC**  
Employer

**APPEAL NO. 17A-UI-04276-CL-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 05/29/11  
Claimant: Respondent (1)**

---

Iowa Code § 96.5(2)a – Discharge for Misconduct  
Iowa Code §96.6(2) – Appeal Timeliness

**STATEMENT OF THE CASE:**

This matter was erroneously set up as an appeal from the June 17, 2011 (reference 01) separation allowance decision. The employer did not contest the claim. No documents were submitted within the appeal deadline period.

**ISSUE:**

Was this matter erroneously set up as an employer appeal from an uncontested decision?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, and all the evidence available in the administrative file, the administrative law judge finds: This matter was erroneously set up as an employer appeal from an uncontested decision which allowed benefits. The employer did not file an appeal and does not dispute the claimant's receipt of benefits.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge concludes that this matter was erroneously set up as an employer appeal from an uncontested decision and the appeal was set up in error. The representative's decision has become final and remains in full force and effect.

**DECISION:**

The June 17, 2011 (reference 01) decision is affirmed. This matter was erroneously set up as an employer appeal. The representative's decision has become final and remains in full force and effect.

---

Christine A. Louis  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau  
1000 East Grand Avenue  
Des Moines, Iowa 50319-0209  
Fax (515)478-3528

---

Decision Dated and Mailed

cal/rvs