

**BEFORE THE
EMPLOYMENT APPEAL BOARD
Lucas State Office Building
Fourth floor
Des Moines, Iowa 50319**

JERRAMIE M GUTIERREZ

Claimant,

and

CASEY'S MARKETING COMPANY

Employer.

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HEARING NUMBER: 10B-UI-08400

**EMPLOYMENT APPEAL BOARD
DECISION**

N O T I C E

THIS DECISION BECOMES FINAL unless (1) a **request for a REHEARING** is filed with the Employment Appeal Board within **20 days** of the date of the Board's decision or, (2) a **PETITION TO DISTRICT COURT** IS FILED WITHIN **30 days** of the date of the Board's decision.

A **REHEARING REQUEST** shall state the specific grounds and relief sought. If the rehearing request is denied, a petition may be filed in **DISTRICT COURT** within **30 days** of the date of the denial.

SECTION: 96.5(2)A, 96.3(7)

D E C I S I O N

UNEMPLOYMENT BENEFITS ARE DENIED

The Claimant appealed this case to the Employment Appeal Board. The members of the Employment Appeal Board reviewed the entire record. The Appeal Board finds the administrative law judge's decision is correct. The administrative law judge's Findings of Fact and Reasoning and Conclusions of Law are adopted by the Board as its own. The administrative law judge's decision is **AFFIRMED**.

The Employment Appeal Board would comment that the Board only reviews those documents, etc. accepted into the record as exhibits. The CD to which the claimant refers was not a part of the record. Thus, the Board did not review the contents of the CD. For future reference, if any party wishes to submit such evidence into the record, it may be wise to request a subpoena prior to the hearing to obtain the same.

John A. Peno

Monique F. Kuester

Elizabeth L. Seiser

AMG/kjo