

**IOWA WORKFORCE DEVELOPMENT DEPARTMENT
UNEMPLOYMENT INSURANCE APPEALS SECTION
1000 EAST GRAND AVENUE
DES MOINES IA 50319**

**Appeal Number: 04A-UI-04957-SWT
OC 12/21/03 R 01**

**STEVE R MILLER
851 W 8TH ST
ODEBOLT IA 51458**

**TYSON FOODS
FLINT DR
STORM LAKE IA 50588**

ORDER DENYING REQUEST TO REOPEN RECORD

On May 28, 2004, a decision was issued in the above matter. The claimant provided a telephone number to call for the hearing scheduled for May 27, 2004, at 10:30 a.m. but was not available at that number at the time of the hearing and did not participate in the hearing. The phone number was for the phone of the claimant's mother and a message was left with the claimant's mother that he needed to call while the hearing was in progress to participate in the hearing.

On May 28, 2004, the claimant requested that the decision be set aside and the hearing reopened because he was babysitting overnight for a friend who was working and the friend had car problems and did not get home in time for the claimant to participate in the hearing.

Based on the above facts, good cause to set aside the claimant's decision and reopen this matter had not been shown. When the claimant discovered that the friend was not returning home on time, he should have contacted the Appeals Section or his mother to request that the hearing be postponed.

It is Ordered that the May 28, 2004, decision disqualifying the claimant from receiving unemployment insurance benefits in this matter remains in effect.

An interested party to the appeal may appeal to the Employment Appeal Board by submitting a signed letter or a signed written Notice of Appeal to Employment Appeal Board, 4th Floor – Lucas Building, Des Moines, Iowa 50319, within 15 days of the date of this Order.

Steven A. Wise
Administrative Law Judge

Dated and mailed:

saw:

Copies to all parties of record.