

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

STACEY K LAACK
Claimant

APPEAL NO. 11A-UI-10094-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

**IOWA WORKFORCE
DEVELOPMENT DEPARTMENT**

OC: 10/25/09
Claimant: Appellant (1)

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

STATEMENT OF THE CASE:

Stacey K. Laack filed an appeal from an unemployment insurance decision dated June 13, 2011, reference 04, that ruled she had been overpaid \$1,062.00 in benefits for the five weeks ending November 28, 2009. After due notice was issued, a telephone hearing was held on August 24, 2011, with Ms. Laack participating. This matter is considered on a consolidated record with 11A-UI-10093-AT.

ISSUE:

Does the administrative law judge have jurisdiction to rule on the merits of this case?

FINDINGS OF FACT:

The decision from which Stacey K. Laack has appealed states that it would become final unless an appeal was postmarked by June 23, 2011, or received by the Agency by that date. Ms. Laack filed an appeal by mail, the envelope receiving a postmark of July 28, 2011. She had received the fact-finding decision in time to file an appeal by June 23, 2011.

REASONING AND CONCLUSIONS OF LAW:

For the reasons stated in 11A-UI-10093-AT, the administrative law judge concludes that he lacks jurisdiction to rule on the merits of this case.

DECISION:

The unemployment insurance decision dated June 13, 2011, reference 04, has become final and remains in effect. The claimant has been overpaid \$1,062.00 for the five weeks ending November 28, 2009.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

kjw/kjw