

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**JIMMY L PATTERSON**  
Claimant

**APPEAL NO. 08A-UI-03525-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**OC: 03/09/08 R: 01  
Claimant: Appellant (2)**

Section 96.3-7 – Recovery of Overpayment of Benefits

**STATEMENT OF THE CASE:**

Jimmy L. Patterson (claimant) appealed a representative's April 7, 2008 decision (reference 04) that concluded he had been overpaid \$373.00 in benefits he received for the week ending March 22, 2008. The overpayment occurred as the result of a representative's decision (reference 02) that held he was not eligible to receive benefits until April 5, 2008. After a hearing notice was mailed to the claimant's last-known address of record, a telephone hearing was held on April 24, 2008. The claimant participated in the hearing. Based on the evidence, the arguments of the claimant, and the law, the administrative law judge enters the following findings of fact, reasoning and conclusions of law, and decision.

**ISSUE:**

Has the claimant been overpaid \$373.00 for the week ending March 22, 2008?

**FINDINGS OF FACT:**

The claimant established a claim for benefits during the week of March 9, 2008. He filed a claim for the week ending March 22, 2008. He received \$373.00 in benefits for this week.

The claimant appealed a representative's April 7, 2007 decision (reference 02) that held he was not eligible to receive benefits for the week ending March 22, 2008, because he received a severance payment that was attributed to this week. This decision has been reversed. See decision for appeal 08A-UI-03523-DWT.

**REASONING AND CONCLUSIONS OF LAW:**

If an individual receives benefits he is not legally entitled to receive, the Department shall recover the benefits even if the individual acted in good faith and is not at fault in receiving the overpayment. Iowa Code § 96.3-7. Based on the decision for appeal 08A-UI-03523-DWT, the claimant is legally entitled to receive benefits as of March 16, 2008. He has not been overpaid \$373.00 in benefits he received for the week ending March 22, 2008.

**DECISION:**

The representative's April 7, 2008 decision (reference 04) is reversed. The claimant is legally entitled to receive benefits for the week ending March 22, 2008. He has not been overpaid \$373.00 in benefits he received for this week.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/css