

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

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

**PATRICK MULENGWA**  
Claimant

**APPEAL NO: 11A-UI-09071-BT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**REM IOWA COMMUNITY SERVICES INC**  
Employer

**OC: 12/12/10**  
**Claimant: Appellant (1)**

871 IAC 26.2 – Dismissed - Not a Contested Case  
871 IAC 26.8(1) – Dismissal of Appeal

**STATEMENT OF THE CASE:**

Patrick Mulengwa (claimant) appealed an unemployment insurance decision. A hearing was scheduled based on a decision dated January 10, 2011, reference 01, which held that he was not eligible for unemployment insurance benefits because he voluntarily quit his employment with REM Iowa Community Services, Inc. (employer) without good cause attributable to the employer. Due notice was issued scheduling the matter for a telephone hearing to be held August 12, 2011. However, since the claimant never appealed that decision, no hearing was held.

**ISSUE:**

The issue is whether the pending appeal be dismissed.

**FINDINGS OF FACT:**

The administrative law judge, having heard the testimony and considered all of the evidence in the record, finds that: The appeal hearing was set up erroneously. The claimant wanted to appeal an overpayment decision dated August 25, 2010.

**REASONING AND CONCLUSIONS OF LAW:**

The question is whether the appeal should be dismissed, and the administrative law judge concludes it should. The claimant did not file an appeal from this decision and the hearing was scheduled in error. The representative's decision has become final and remains in effect.

**DECISION:**

The unemployment insurance decision dated January 10, 2011, reference 01, affirmed. No appeal was filed from this reference number and the case was set for hearing in error. The representative's decision has become final and remains in full force and effect.

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Susan D. Ackerman  
Administrative Law Judge

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Decision Dated and Mailed

sda/pjs