

**IOWA WORKFORCE DEVELOPMENT
UNEMPLOYMENT INSURANCE APPEALS**

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

TIMOTHY J GEERTS
Claimant

APPEAL NO. 09A-UI-07070-AT

**ADMINISTRATIVE LAW JUDGE
DECISION**

ARMOUR ECKRICH MEATS LLC
Employer

**Original Claim: 07/06/08
Claimant: Appellant (6)**

Section 96.4-3 – Eligibility for Benefits
871 IAC 26.8(1) – Dismissal of Appeal

STATEMENT OF THE CASE:

An appeal filed by Timothy J. Geerts from an adverse decision dated March 3, 2009 was misinterpreted by the Agency as applying also to a favorable decision dated March 18, 2009. A hearing was scheduled to be held on May 27, 2009. At the time of the hearing, the administrative law judge recognized the decision as being in the claimant's favor and proposed to dismiss the appeal.

ISSUE:

Should the appeal be dismissed?

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: The fact-finding decision dated March 18, 2009, reference 03, is favorable to the claimant, Timothy J. Geerts.

REASONING AND CONCLUSIONS OF LAW:

Having reviewed all matters of record, the administrative law judge concludes that it is in the interest of justice to dismiss this appeal as having been set up in error.

DECISION:

The unemployment insurance decision dated March 18, 2009, reference 03, remains in effect. The claimant is entitled to receive unemployment insurance benefits effective February 1, 2009, provided he is otherwise eligible.

Dan Anderson
Administrative Law Judge

Decision Dated and Mailed

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