

**IOWA WORKFORCE DEVELOPMENT  
Unemployment Insurance Appeals Section  
1000 East Grand—Des Moines, Iowa 50319  
DECISION OF THE ADMINISTRATIVE LAW JUDGE  
68-0157 (7-97) – 3091078 - EI**

**JAMAAL R CLARKSON  
926 OAKRIDGE DR BLDG 122 APT 57  
DES MOINES IA 50314**

**IOWA WORKFORCE  
DEVELOPMENT DEPARTMENT**

**Appeal Number: 04A-UI-03602-AT  
OC: 03-07-04 R: 02  
Claimant: Appellant (1)**

**This Decision Shall Become Final**, unless within fifteen (15) days from the date below, you or any interested party appeal to the Employment Appeal Board by submitting either a signed letter or a signed written Notice of Appeal, directly to the **Employment Appeal Board, 4<sup>th</sup> Floor—Lucas Building, Des Moines, Iowa 50319**.

The appeal period will be extended to the next business day if the last day to appeal falls on a weekend or a legal holiday.

STATE CLEARLY

1. The name, address and social security number of the claimant.
2. A reference to the decision from which the appeal is taken.
3. That an appeal from such decision is being made and such appeal is signed.
4. The grounds upon which such appeal is based.

YOU MAY REPRESENT yourself in this appeal or you may obtain a lawyer or other interested party to do so provided there is no expense to Workforce Development. If you wish to be represented by a lawyer, you may obtain the services of either a private attorney or one whose services are paid for with public funds. It is important that you file your claim as directed, while this appeal is pending, to protect your continuing right to benefits.

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(Administrative Law Judge)

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(Decision Dated & Mailed)

Section 96.3-7 – Recovery of Overpayments

STATEMENT OF THE CASE:

Jamaal R. Clarkson filed a timely appeal from an unemployment insurance decision dated March 29, 2004 reference 04 which ruled that he had been overpaid in the gross amount of \$293.00 for the week ending March 13, 2004 because of an earlier decision holding him ineligible for unemployment insurance benefits. Due notice was issued for a telephone hearing to be held April 20, 2004. Mr. Clarkson did not respond to the hearing notice. The administrative law judge takes official notice of agency benefit payment records and decision records.

FINDINGS OF FACT:

Having examined all matters of record, the administrative law judge finds: Jamaal R. Clarkson received unemployment insurance benefits in the gross amount of \$293.00 for the week ending March 13, 2004. The decision holding him ineligible for those benefits has been affirmed by the administrative law judge's decision 04A-UI-03600-AT. The agency withheld benefits for the week ending March 20, 2004 to offset the overpayment. Mr. Clarkson owes nothing to the agency at this time.

REASONING AND CONCLUSIONS OF LAW:

The question is whether Mr. Clarkson was overpaid. The evidence establishes that he received benefits for the week ending March 13, 2004 although he was not eligible for benefits for that week. According to Iowa Code Section 96.3-7 those benefits must be recovered. Agency benefit payment records establish that the benefits have been recovered. Mr. Clarkson owes nothing to the agency at this time.

DECISION:

The unemployment insurance decision dated March 29, 2004 reference 04 is affirmed. The claimant was overpaid by \$293.00 for the week ending March 13, 2004. The overpayment has been recovered.

sb/b