

IN THE UTAH COURT OF APPEALS

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Pylord P. Doe,)	MEMORANDUM DECISION	
)	(Not For Official Publication)	
Petitioner,)		
)	Case No. 20090243-CA	
v.)		
)		
<u>Department of Workforce</u>)	F I L E D	
<u>Services, Workforce Appeals</u>)	(June 4, 2009)	
<u>Board, and Fisher Group, Inc.,</u>)	<table border="1"><tr><td>2009 UT App 145</td></tr></table>	2009 UT App 145
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Respondent.)		

Original Proceeding in this Court

Attorneys: Pylord P. Doe, Salt Lake City, Petitioner Pro Se
Michael R. Medley, Salt Lake City, for Respondent

Before Judges Bench, Davis, and McHugh.

PER CURIAM:

Pylord P. Doe petitions for review of the final order of the Workforce Appeals Board (the Board), which determined that it lacked jurisdiction to consider the merits of his appeal. This matter is before the court on its sua sponte motion for summary disposition based on the lack of a substantial question for review.

The Board adopted the administrative law judge's (ALJ) findings that Doe had no good cause for an untimely filed appeal from a benefits determination. Good cause for delay in filing an appeal is limited to circumstances where the claimant received the determination after the appeal time had run, the delay was caused by circumstances beyond the claimant's control, or the claimant filed late under circumstances that were compelling and reasonable. See Utah Admin. Code R994-508-104. Here, Doe admitted that he timely received the Department of Workforce Service's original decision. However, he either did not open the decision or did not completely read the decision until after the time for appeal had run. Doe did not establish any factor constituting good cause. If no good cause is shown for the late filing, the ALJ and the Board lack jurisdiction to hear the

appeal. See id. R994-508-103; Autoliv ASP, Inc. v. Department of Workforce Servs., 2000 UT App 223, ¶ 12, 8 P.3d 1033.

Affirmed.

Russell W. Bench, Judge

James Z. Davis, Judge

Carolyn B. McHugh, Judge