

IN THE UTAH COURT OF APPEALS

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David B. Rowley,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Petitioner,	)	
	)	Case No. 20090759-CA
v.	)	
	)	
Department of Workforce	)	F I L E D
Services, Workforce Appeals	)	(December 10, 2009)
Board,	)	
	)	2009 UT App 371
Respondent.	)	

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Original Proceeding in this Court

Attorneys: David B. Rowley, St. George, Petitioner Pro Se  
            Geoffrey T. Landward, Salt Lake City, for Respondent

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Before Judges Greenwood, Orme, and Thorne.

PER CURIAM:

David B. Rowley petitions for review of the Workforce Appeals Board's (the Board) decision affirming the denial of unemployment benefits and the assessment of an overpayment penalty. This matter is before the court on its own motion for summary disposition based on the lack of a substantial question for review. We affirm.

Rowley did not state an issue for review in his docketing statement other than to request a general review of the Board's decision. In response to the sua sponte motion for summary disposition, Rowley challenges the Board's findings pertaining to his unexcused absences from work. This court will reverse an administrative agency's findings of fact "only if the findings are not supported by substantial evidence." Drake v. Industrial Comm'n, 939 P.2d 177, 181 (Utah 1997). We will not disturb the Board's conclusion regarding the application of law to facts unless it "exceeds the bounds of reasonableness and rationality."

Nelson v. Department of Employment Sec., 801 P.2d 158, 161 (Utah Ct. App. 1990). The record demonstrates substantial evidence supporting the Board's findings.

Accordingly, the Board's decision is affirmed.

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Pamela T. Greenwood,  
Presiding Judge

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Gregory K. Orme, Judge

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William A. Thorne Jr., Judge