OES-453 (Rev. 9-85)

BOARD OF REVIEW

OKLAHOMA EMPLOYMENT SECURITY COMMISSION
P.O. BOX 53345
OKLAHOMA CITY, OK 73152

Docket No. **15-AT-12854-BR**

In Re: Claim of:

APPELLANT

Date of Appeal to Board: **OCTOBER 15, 2015**

OPINION

The BOARD OF REVIEW considered the findings and decision of the Appeal Tribunal Hearing Officer, finding that good cause was not shown for the untimely filing of the claimant's appeal and dismissing the appeal for want of jurisdiction in accordance with Section 2-603 and Section 2-614, Title 40, Okla. Stat., as amended. This matter is submitted on the recording of the hearing, the Appeal Tribunal decision, and the records in the offices of the Oklahoma Employment Security Commission, the Appeal Tribunal, and the Board of Review pertaining to this appeal.

The Board of Review finds the claimant's appeal to the Appeal Tribunal was late because she was homeless and did not have transportation to go to the Post Office to check her mail. Under the circumstances, the Board finds it was beyond her control to have filed her appeal on time.

The Board of Review concludes that this case should be remanded to the Appeal Tribunal to issue a new decision shall be issued addressing the merits of the case using all records, testimony and evidence contained in the file. It is not necessary to reconvene the hearing asthe Hearing Officer did take testimony on the merits of the case.

IT IS THEREFORE ORDERED BY THE BOARD OF REVIEW that this case is REMANDED to the Appeal Tribunal as instructed above.

COPIES TO: CLAIMANT

APPEAL RIGHTS

Within 30 days after the mailing date of this decision, as shown opposite, further written appeal for judicial review may be filed in the District Court of claimant's county of residence or in the District Court of Oklahoma County if claimant is not a resident of Oklahoma, in accordance with Section 2-610, Title 40, Ok. Stat.

CERTIFICATE OF MAILING

I certify on 11-19-15 I personally placed copies of this decision in the United States mail in envelopes addressed to the claimant and employer at their respective addresses shown on the decision. Said envelopes were sealed and bore indicia of proper postage paid.