

IN THE UTAH COURT OF APPEALS

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James Minor,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Petitioner,	)	
	)	Case No. 20100466-CA
v.	)	
	)	F I L E D
Labor Commission,	)	(August 12, 2010)
	)	
Respondent.	)	<span style="border: 1px solid black; padding: 2px;">2010 UT App 223</span>

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Original Proceeding in this Court

Attorneys: James Minor, Salt Lake City, Petitioner Pro Se

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Before Judges Thorne, Voros, and Christiansen.

PER CURIAM:

James Minor petitions for review of the Labor Commission Appeals Board's (the Board) dismissal of his request for reconsideration as untimely. This is before the court on its own motion for summary disposition based on lack of jurisdiction due to an untimely filed petition for review.

A petition for review of a final agency order must be filed within thirty days after the date of the final action. See Utah Code Ann. § 63G-4-401(3)(a) (2008); Utah R. App. P. 14(a). The time requirement is jurisdictional. See *Silva v. Department of Emp't Sec.*, 786 P.2d 246, 247 (Utah Ct. App. 1990). If a petition is not timely filed, this court lacks jurisdiction and must dismiss the petition. See *id.*

The Board's final order was dated April 27, 2010. Minor's petition for review was filed on June 10, 2010, more than thirty days later. Accordingly, Minor's petition for review was untimely filed and this court lacks jurisdiction.

Dismissed.

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William A. Thorne Jr., Judge

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J. Frederic Voros Jr., Judge

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Michele M. Christiansen, Judge