

IN THE UTAH COURT OF APPEALS

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Ryiah A. Maziarka,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Petitioner,	)	
	)	Case No. 20070857-CA
v.	)	
	)	
<u>Department of Workforce</u>	)	F I L E D
<u>Services, Workforce Appeals</u>	)	(January 17, 2008)
<u>Board, and The Edge Complete</u>	)	
<u>Personal Training,</u>	)	2008 UT App 20
	)	
Respondent.	)	

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Original Proceeding in this Court

Attorneys: Ryiah Maziarka, Salt Lake City, Petitioner Pro Se  
Susan Pixton, Salt Lake City, for Respondent  
Workforce Appeals Board

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Before Judges Greenwood, Davis, and McHugh.

PER CURIAM:

Ryiah Maziarka petitions for review of the final order of the Workforce Appeals Board (Board) determining that it lacked jurisdiction to consider the merits of her appeal. This is before the court on the Board's motion for summary disposition based on the lack of a substantial question for review. Maziarka did not respond to the motion.

The Board adopted the Administrative Law Judge's (ALJ) findings that Maziarka 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, Maziarka admitted that she did not completely read the letters until after the time for appeal had run. She 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 Utah Admin. Code R994-508-

103; Autoliv ASP, Inc. v. Department of Workforce Servs., 2000 UT App 223, ¶ 12, 8 P.3d 1033.

Affirmed.

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Pamela T. Greenwood,  
Presiding Judge

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James Z. Davis, Judge

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Carolyn B. McHugh, Judge