

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

ROLANDA D. PEARSON, Appellant,)	No. ED100027
)	
vs.)	Appeal from the Labor and
)	Industrial Relations Commission
DEPARTMENT OF EMPLOYMENT)	
SECURITY, Respondent.)	Filed: April 15, 2014

The claimant, Rolanda Pearson, appeals *pro se* the order of the Labor and Industrial Relations Commission directing the Division of Employment Security to issue an appealable determination concerning section 288.060.4 RSMo. (Supp. 2013) and her ineligibility for benefits.

APPEAL DISMISSED AND CAUSE REMANDED WITH INSTRUCTIONS.

DIVISION TWO HOLDS: Because the Division of Employment Security did not issue an appealable determination, the Commission did not consider the substantive issue the claimant raises. Because that issue was never considered and decided below, that issue is not properly before this Court. Because the substantive issue that the claimant has appealed is not properly before us, we must dismiss her appeal.

We dismiss the claimant’s appeal. We remand to the Commission to allow the Commission, in turn, to remand to the Division to comply with the Commission’s direction to issue an appealable determination concerning the effective date that the claimant satisfied the earnings requirement contained in section 288.060.4 and thus became eligible for benefits.

Opinion by: Lawrence E. Mooney, P.J. Robert G. Dowd, Jr., J, and Sherri B. Sullivan, J., concur.

Attorney for Appellant: Rolanda D. Pearson, Pro Se

Attorney for Respondent: Bart A. Matanic

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.