

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

BERNICE BOLES,

Appellant,

v.

DIVISION OF EMPLOYMENT SECURITY,

Respondent.

DOCKET NUMBER WD73859

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: December 6, 2011

APPEAL FROM

The Labor and Industrial Relations Commission

JUDGES

Division Two: Pfeiffer, P.J., and Howard and Martin, JJ.

CONCURRING.

ATTORNEYS

Bernice Boles
Kansas City, MO

Appellant, *pro se*,

Leah Williamson
Jefferson City, MO

Attorney for Respondent.



**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

BERNICE BOLES,)
)
) **Appellant,**)
)
 v.)
)
 DIVISION OF EMPLOYMENT)
 SECURITY,)
)
) **Respondent.**)

**OPINION FILED:
December 6, 2011**

WD73859

Labor and Industrial Relations Commission

Before Division Two Judges: Mark D. Pfeiffer, Presiding Judge, and
Victor C. Howard and Cynthia L. Martin, Judges

Bernice Boles sought unemployment benefits after leaving her job at Today’s Child Learning Center, Inc. A Division of Employment Security deputy determined that Boles left her job voluntarily and, therefore, was not entitled to benefits. Boles filed an untimely appeal with the Division’s Appeals Tribunal, which dismissed her appeal. She then filed an untimely application for review with the Labor and Industrial Relations Commission. The Commission also dismissed her appeal. Boles timely appeals to this court.

AFFIRMED.

Division Two holds:

- (1) The Commission dismissed Boles’s application because, due to Boles’s untimely filing, the Commission lacked the statutory authority to review her case.
- (2) The Commission properly dismissed Boles’s application. Under section 288.200, there is no provision to extend the deadline for filing an application with the Commission. Despite her *pro se* status, Boles still had to comply with the statutory deadline for filing her application. The Commission’s determination that her application was untimely is supported by substantial competent evidence.

Opinion by: Mark D. Pfeiffer, Presiding Judge

December 6, 2011

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