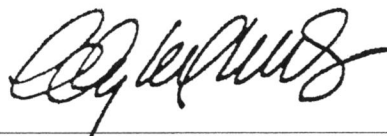


Claimant:	Date:	May 17, 2019
JANICE A WEISEL	Appeal No.:	1818936
	S.S. No.:	161-46-3198
	L.O. No.:	01
Employer:	Appellant:	Claimant
KAIMETRIX LLC		

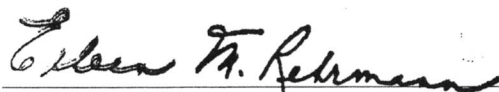
REMAND ORDER

The Board of Appeals remands this case to Chief Hearing Examiner Judy Smylie for assignment to a Hearing Examiner for a *de novo* hearing.

The claimant filed a timely appeal to the Board of Appeals from a Denial of Petition to Reopen, issued on March 5, 2019. A review of the Lower Appeals Division Hearing Recording Records reveals the Hearing Examiner failed to make a recording of the January 15, 2019, Telephone Hearing. Absent a complete record, the Board of Appeals cannot fulfill its function to consider and decide appeals from the Decisions of the Lower Appeals Division, as set forth in *Maryland Code Annotated, Labor and Employment Article, Section 8-5A-01, et seq.* The Hearing Recording is necessary to prove the claimant failed to call in for the January 15, 2019, Telephone Hearing. Without the recording there is no proof the claimant failed to call in for the hearing and the appeal was properly dismissed. Without evidence of a proper dismissal, the Board cannot confirm the matter was properly dismissed and the Denial of Reopening was appropriate. Accordingly, the matter is remanded to Chief Hearing Examiner Judy G. Smylie, Esq., for assignment of the matter to a new Hearing Examiner for a *de novo* hearing on the merits.



Clayton A. Mitchell, Sr., Associate Member



Eileen M. Rehrmann, Associate Member

KK

Copies mailed to:
JANICE A WEISEL
KAIMETRIX LLC
JARED W. MURPHY

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