

*Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.*

**ENTRY ORDER**

SUPREME COURT DOCKET NO. 2003-339

DECEMBER TERM, 2003

Rick Potvin	}	APPEALED FROM:
	}	
v.	}	
	}	
Department of Employment and Training (Westaff USA, Inc., Employer)	}	Employment Security Board
	}	
	}	DOCKET NO 10-01-048-06
	}	
	}	

In the above-entitled cause, the Clerk will enter:

Claimant appeals the denial of his request for unemployment benefits, contending that the appeals referee made several erroneous findings in his November 9, 2001 decision. Claimant did not appeal the referee's decision until April 17, 2003, more than sixteen months after the statutory time limit for taking such appeals had expired. See 21 V.S.A. ' 1349 (interested party may appeal referee's decision to Board within thirty days of date of decision). Accordingly, the Board dismissed the appeal as untimely filed. See Hunt v. Dep't of Employment Sec., 142 Vt. 611, 612 (1983) (Board has no power to extend appeal period, and therefore lacked jurisdiction over untimely appeal from referee's decision). Claimant fails to show how the Board erred in dismissing his appeal.

Affirmed.

BY THE COURT:

\_\_\_\_\_  
Jeffrey L. Amestoy, Chief Justice

\_\_\_\_\_  
John A. Dooley, Associate Justice

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Paul L. Reiber, Associate Justice