

Cite as 2023 Ark. App. 186
ARKANSAS COURT OF APPEALS

DIVISION III
No. E-22-131

LINDA NANCE

APPELLANT

V.

DIRECTOR, DIVISION OF WORKFORCE
SERVICES

APPELLEE

Opinion Delivered April 5, 2023

APPEAL FROM THE ARKANSAS
BOARD OF REVIEW

[NO. 2021-BR-4247]

REMANDED TO SETTLE AND
SUPPLEMENT THE RECORD

BART F. VIRDEN, Judge

Appellant, Linda Nance, appeals an adverse ruling of the Board of Review (Board) affirming an Appeal Tribunal (Tribunal) finding that she is required to repay \$1611 in unemployment benefits. We remand to settle and supplement the record.

In this matter, the Board's decision ostensibly affirms the decision made by the Tribunal in appeal No. 2021-AT-17367 regarding repayment of benefits in the amount of \$1611 for the weeks of July 4 and July 11, 2020. The referenced Tribunal decision, however, affirms repayment of \$10,119 in benefits for the weeks of July 25, 2020, through January 30, 2021. Thus, the Board's decision is incongruous with the record before us on review, and we cannot reach the merits of Nance's claim at this time.

A correct record is essential to a proper review of whether the benefits at issue need to be repaid. See *Van Venrooij v. Dir.*, 2021 Ark. App. 213. In the event of a material omission or misstatement, we may sua sponte direct the record to be settled. *Abbott v. Dir.*, 2015 Ark. App. 221. This case is remanded to the Board to settle and supplement the record to remedy the inconsistencies. The supplemental record shall be returned within thirty days of this order.

Remanded to settle and supplement the record.

GRUBER and BROWN, JJ., agree.

Linda Nance, pro se appellant.

Cynthia L. Uhrynowych, Associate General Counsel, for appellee.