

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of ALPHONSE CHOLEWSKY and DEPARTMENT OF THE NAVY,  
CHARLESTON NAVAL SHIPYARD, Charleston, SC

*Docket No. 98-1047; Submitted on the Record;  
Issued December 3, 1999*

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DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,  
A. PETER KANJORSKI

The issue is whether appellant has met his burden of proof to establish that he sustained an injury while in the performance of duty.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal, and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs dated November 6, 1997 which affirmed the Office's March 18, 1997 decision is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

The decision of the Office of Workers' Compensation Programs hearing representative dated November 6, 1997 and the Office's March 18, 1997 decision are hereby affirmed.

Dated, Washington, D.C.  
December 3, 1999

David S. Gerson  
Member

Willie T.C. Thomas  
Alternate Member

A. Peter Kanjorski  
Alternate Member