

U.S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of RICHARD L. ALE and DEPARTMENT OF THE NAVY,  
CHERRY POINT NAVAL AIR STATION, Cherry Point, NC

*Docket No. 98-1082; Submitted on the Record;  
Issued September 14, 1999*

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DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,  
A. PETER KANJORSKI

The issue is whether appellant has any disability due to his injury of December 12, 1994.

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 January 8, 1998 decision of the hearing representative of the Office of Workers' Compensation Programs is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.<sup>1</sup>

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<sup>1</sup> The Board notes that subsequent to the Office's January 8, 1998 decision, appellant submitted additional evidence. The Board has no jurisdiction to review this evidence for the first time on appeal. 20 C.F.R. § 501.2(c); *James C. Campbell*, 5 ECAB 35 (1952).

The decision of the Office of Workers' Compensation Programs dated January 8, 1998 is hereby affirmed.

Dated, Washington, D.C.  
September 14, 1999

George E. Rivers  
Member

David S. Gerson  
Member

A. Peter Kanjorski  
Alternate Member