

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of WILLIAM E. WAMPLER and U.S. POSTAL SERVICE,
POST OFFICE, Terre Haute, Ind.

*Docket No. 97-844; Submitted on the Record;
Issued September 24, 1998*

DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,
WILLIE T.C. THOMAS

The issue is whether appellant has met his burden of proof to establish that he sustained an injury in the performance of duty on August 18, 1995.

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 October 31, 1996 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

The decision of the Office of Workers' Compensation Programs dated October 31, 1996 is hereby affirmed.

Dated, Washington, D.C.
September 24, 1998

George E. Rivers
Member

David S. Gerson
Member

Willie T.C. Thomas
Alternate Member

¹ Subsequent to the Office's October 31, 1996 decision, appellant submitted additional evidence. The Board cannot consider this evidence, as the Board's review of the case is limited to the evidence of record which was before the Office at the time of its final decision. 20 C.F.R. § 501.2(c).