

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ANTHONY L. SUMMERS and U.S. POSTAL SERVICE,
POST OFFICE, Orlando, FL

*Docket No. 00-1888; Submitted on the Record;
Issued July 6, 2001*

DECISION and ORDER

Before MICHAEL J. WALSH, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant established that he sustained a back injury on June 19, 1998 in the performance of his federal employment.

The Board has given careful consideration to the issue involved, the contentions of the parties 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 February 10, 2000, finding that there are sufficient unexplained inconsistencies in the evidence to cast serious doubt on appellant's claim that he sustained a back injury at the time, place and in the manner alleged, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.

The decision of the hearing representative of the Office of Workers' Compensation Programs dated February 10, 2000, holding that appellant did not establish that he sustained a new back injury on June 19, 1998, at the time, place or in the manner alleged, is hereby affirmed.

Dated, Washington, DC
July 6, 2001

Michael J. Walsh
Chairman

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member