

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ANTHONY TODD and U.S. POSTAL SERVICE,
POST OFFICE, Cleveland, OH

*Docket No. 02-1962; Submitted on the Record;
Issued December 19, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, WILLIE T.C. THOMAS,
A. PETER KANJORSKI

The issue is whether appellant's medical condition and disability is causally related to the March 21, 2001 employment injury.

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 June 27, 2002 decision 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.¹

¹ The only medical evidence which attributed appellant's back condition to his federal employment was the opinion of Dr. Edward C. Holmes, a chiropractor, dated July 20, 2001. Because, however, Dr. Holmes did not show subluxation by x-rays to exist, he is not a doctor within the meaning of the Federal Employees' Compensation Act, and his opinion is not probative; *see Thomas W. Stevens*, 50 ECAB 288, 289-90 (1999). Appellant therefore failed to establish that his back condition was causally related to his federal employment.

The June 27, 2002 and the August 1, 2001 decisions of the Office of Workers' Compensation Programs are hereby affirmed.

Dated, Washington, DC
December 19, 2002

Alec J. Koromilas
Member

Willie T.C. Thomas
Alternate Member

A. Peter Kanjorski
Alternate Member