

**United States Department of Labor
Employees' Compensation Appeals Board**

L.W., Appellant)	
)	
and)	
)	Docket No. 13-315
)	Issued: April 12, 2013
U.S. POSTAL SERVICE, POST OFFICE,)	
Santa Clarita, CA, Employer)	

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:

RICHARD J. DASCHBACH, Chief Judge
COLLEEN DUFFY KIKO, Judge
PATRICIA HOWARD FITZGERALD, Judge

On November 26, 2012 appellant sought appeal from a decision of the Office of Workers' Compensation Programs (OWCP) dated July 9, 2012. The Board assigned Docket No. 13-315.

The Board, having duly considered the matter, notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act¹ (FECA). While OWCP's case management application confirms that two final decisions were issued on July 9, 2012 by OWCP, the case record as transmitted to the Board does not contain these decisions. The Board is unable to confirm that the case record transmitted to the Board contains all documents and records pertaining to the claim which are necessary for complete consideration and adjudication of the issue raised on appeal. This appeal is not in posture for decision as the Board is unable to render an informed adjudication of the case.² The

¹ 5 U.S.C. § 8149; 20 C.F.R. §§ 501.2(c) and 501.3(a).

² The Board's review of a case is limited to evidence in the case record that was before OWCP at the time of its final decision. 20 C.F.R. § 501(c) (1). As decisions and orders of the Board are final as to the subject matter appealed, it is necessary that the Board review the entire record that was before OWCP at the time of its final decision. 20 C.F.R. § 501.6(d).

July 9, 2012 decisions of OWCP are hereby set aside and the case is remanded for reconstruction of the record. Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 13-315 is remanded for further proceedings consistent with this order.

Issued: April 12, 2013
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board