

While the current OWCP file is a master file with some subsidiary files, not all of the different claim files identified by OWCP had been properly combined under a master file. The record before the Board is incomplete and would not permit an informed adjudication of the case by the Board. It is necessary to review all of the identified claims in order to properly adjudicate the forfeiture and overpayment issues. The Board also notes that while OWCP found the court had accepted the guilty plea, the March 21, 2014 document in the record is a recommendation to accept the plea. On appeal, appellant has indicated that additional action has occurred with respect to legal proceedings.

The case will be remanded to OWCP. On return of the case record, OWCP should administratively combine all of the claims identified in the forfeiture and overpayment decisions. It should consider all of the relevant current evidence, and issue appropriate decisions that protect appellant's appeal rights with respect to forfeiture, termination of compensation, overpayment, and finding of fault.

IT IS HEREBY ORDERED THAT the decisions of the Office of Workers' Compensation Programs dated November 21 and October 21, 2014 are set aside and the case remanded to OWCP for further action consistent with this order of the Board.

Issued: September 28, 2016
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Alternate Judge
Employees' Compensation Appeals Board