

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

S.T., Appellant)	
)	
and)	Docket No. 21-0668
)	Issued: October 29, 2021
)	
U.S. POSTAL SERVICE, DENVER-)	
MONTEBELLO STATION POST OFFICE,)	
Denver, CO, Employer)	
)	

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:
JANICE B. ASKIN, Judge
PATRICIA H. FITZGERALD, Alternate Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On February 8, 2021 appellant filed an appeal from a May 7, 2020 merit decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards assigned Docket No. 21-0668.

The Board, having duly considered the matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act (FECA).² For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.³

The 180th day following the May 7, 2020 decision was November 3, 2020. As appellant did not file an appeal with the Board until February 8, 2021, more than 180 days after the May 7,

¹ The Board notes that appellant's appeal form indicates that she is requesting an appeal from various other purported decisions. However, the last final adverse decision of record is OWCP's May 7, 2020 decision.

² 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

³ *Id.* at § 501.3(e).

2020 OWCP decision, the Board finds that the appeal docketed as No. 21-0668 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not explained the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances. Because there is no adverse, final decision issued by OWCP within 180 days of the February 8, 2021 filing of the instant appeal, the Board concludes that the appeal docketed as No. 21-0668, must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0668 is dismissed.

Issued: October 29, 2021
Washington, DC

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Alternate Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board

⁴ The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." *Id.* at § 501.6(d).