

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

L.C., Appellant	)	
	)	
and	)	<b>Docket No. 21-1008</b>
	)	<b>Issued: October 26, 2021</b>
U.S. POSTAL SERVICE, FORT WORTH	)	
PROCESSING & DISTRIBUTION CENTER,	)	
Fort Worth, TX, 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 June 23, 2021 appellant sought an appeal from a purported June 21, 2021 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 21-1008.

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 Act.<sup>1</sup> The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.<sup>2</sup> The most recent final adverse decision was issued by OWCP on March 12, 2020, which this Board affirmed in part and set aside in part on June 21, 2021 in Docket No. 20-1058.<sup>3</sup> As there is no

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<sup>1</sup> 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>2</sup> 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP."

<sup>3</sup> By the June 21, 2021 decision, the Board affirmed OWCP's finding of fact of overpayment. However, the Board also set aside OWCP's determination regarding the amount of the overpayment, finding that the case was not in posture for decision as to the period and amount of the overpayment. The Board remanded the case for a new preliminary determination of overpayment and a *de novo* overpayment decision. *See* Docket No. 20-1058 (issued June 21, 2021).

final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 21-1008 must be dismissed. Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 21-1008 is dismissed.

Issued: October 26, 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