

|                                          |   |                                   |
|------------------------------------------|---|-----------------------------------|
|                                          | ) |                                   |
| <b>B.C., Appellant</b>                   | ) |                                   |
|                                          | ) |                                   |
| <b>and</b>                               | ) | <b>Docket No. 21-1246</b>         |
|                                          | ) | <b>Issued: September 29, 2021</b> |
| <b>DEPARTMENT OF THE ARMY, U.S.</b>      | ) |                                   |
| <b>MILITARY ACADEMY, West Point, NY,</b> | ) |                                   |
| <b>Employer</b>                          | ) |                                   |
|                                          | ) |                                   |

### Case Submitted on the Record

Before:  
ALEC J. KOROMILAS, Chief Judge  
PATRICIA H. FITZGERALD, Alternate Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> 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.<sup>2</sup>

<sup>1</sup> 5 U.S.C. § 8149; 20 C.F.R. §§ 501.2(c) and 501.3(a) (2009).

<sup>2</sup> *Id.* at § 501.3(e).

a reason to explain the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances.

The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance."<sup>3</sup>

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 21-1246 is dismissed.

Issued: September 29, 2021  
Washington, DC

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

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

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

---

<sup>3</sup> *Id.* at § 501.6(d).