

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

_____)
T.H., Appellant)

and)

U.S. POSTAL SERVICE, POST OFFICE,)
Shaker Heights, OH, Employer)
_____)

Docket No. 23-0032
Issued: November 21, 2022

Appearances:

Alan J. Shapiro, Esq., for the appellant¹
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge
VALERIE D. EVANS-HARRELL, Alternate Judge
JAMES D. MCGINLEY, Alternate Judge

On October 12, 2022 appellant, through counsel, filed a timely appeal from a September 28, 2022, merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 23-0032.

In a letter dated and received October 25, 2022, counsel requested that the appeal be dismissed.

The Board has duly considered the matter and concludes that counsel's request for the dismissal of the appeal should be granted. Accordingly,

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

IT IS HEREBY ORDERED THAT appellant's request for the dismissal of the appeal is granted. The appeal docketed as No. 23-0032 is dismissed.

Issued: November 21, 2022
Washington, DC

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

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

James D. McGinley, Alternate Judge
Employees' Compensation Appeals Board