

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

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**D.S., Appellant** )

**and** )

**DEPARTMENT OF TRANSPORTATION,** )  
**FEDERAL AVIATION ADMINISTRATION,** )  
**Bridgeton, MO, Employer** )  
\_\_\_\_\_ )

**Docket No. 23-0021**  
**Issued: October 27, 2022**

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

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:

ALEC J. KOROMILAS, Chief Judge  
JANICE B. ASKIN, Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On October 7, 2022 appellant filed an appeal from a purported March 31, 2022 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 23-0021.

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 (FECA).<sup>1</sup> This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed his appeal.<sup>2</sup> The case record as transmitted to the Board does not contain a March 31, 2022 final adverse decision of OWCP as this is a decision accepting appellant's claim.<sup>3</sup> As there is no final adverse decision issued by OWCP dated March 31, 2022

<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> The Board notes that appellant has an appeal pending from an April 26, 2022 final adverse decision of OWCP under Docket No. 23-0048.

over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 23-0021 must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 23-0021 is dismissed.

Issued: October 27, 2022  
Washington, DC

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

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

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

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<sup>4</sup> The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).