

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

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| J.G., Appellant |) | |
| |) | |
| and |) | Docket No. 22-0657 |
| |) | Issued: April 19, 2023 |
| TENNESSEE VALLEY AUTHORITY, |) | |
| PARADISE FOSSIL PLANT, Drakesboro, KY, |) | |
| Employer |) | |

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

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

On March 22, 2022 appellant sought an appeal from a purported December 8, 2021 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 22-0657.

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.¹ This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed this appeal.² The case record contains correspondence dated December 8, 2021, wherein OWCP provided a copy of a second opinion report and afforded appellant and his treating physician 30 days to review and comment. This correspondence, however, does not constitute a final adverse OWCP decision from which appellant may properly appeal as it is informational in

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

² *Id.* at § 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."

nature.³ As there is no final adverse OWCP decision over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as Docket No. 22-0657 must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 22-0657 is dismissed.

Issued: April 19, 2023
Washington, DC

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

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

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

³ See *Order Dismissing Appeal, K.S.*, Docket No. 20-1401 (issued March 17, 2021); *Order Dismissing Appeal, S.U.*, Docket No. 20-0636 (issued December 3, 2020) (correspondence that is purely informational in nature does not constitute a final adverse decision of OWCP from which appellant may properly appeal).

⁴ 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).