

**M.B., Appellant**

**U.S. POSTAL SERVICE, POST OFFICE,  
Portland, OR, Employer**

*Case Submitted on the Record*

# ORDER DISMISSING APPEAL

Before:

PATRICIA H. FITZGERALD, Deputy Chief Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On June 7, 2022 appellant sought an appeal from a purported August 4, 2021 decision of the Office of Workers' Compensation Programs (OWCP). Together with her appeal request, she submitted a request for oral argument pursuant to 20 C.F.R. § 501.5(b). The Clerk of the Appellate Boards assigned Docket No. 22-0974.

The Board, having duly considered the matter, notes that its jurisdiction is limited to the review of 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> 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>3</sup> As there is no final adverse decision issued by OWCP over which the Board may properly exercise

<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> *Id.*

jurisdiction, the Board concludes that the appeal docketed as No. 22-0974 must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 22-0974 is dismissed.

Issued: February 28, 2023  
Washington, DC

Patricia H. Fitzgerald, Deputy 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

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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." *Id.* at § 501.6(d).