United States Department of Labor Employees' Compensation Appeals Board

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I.A., Appellant)
and) Docket No. 22-1042
U.S. POSTAL SERVICE, POST OFFICE, Brooklyn, NY, Employer) Issued: February 2, 2023))
Appearances: Michael D. Overman, Esq., for the appellant ¹ 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 July 5, 2022 appellant, through counsel, filed a timely appeal from a January 10, 2022 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-1042.

In a letter dated November 23, 2022, and received December 5, 2022, counsel requested that the appeal be withdrawn.

The Board has duly considered the matter and concludes that counsel's request for the withdrawal 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 services 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 withdrawal of the appeal is granted. The appeal docketed as No. 22-1042 is dismissed.

Issued: February 2, 2023

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