

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

S.Z., Appellant

and

**U.S. POSTAL SERVICE, DYKER HEIGHTS
POST OFFICE, Brooklyn, NY, Employer**

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**Docket No. 23-0221
Issued: February 2, 2023**

Appearances:

Daniel 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 December 2, 2022 appellant, through counsel, filed a timely appeal from an October 17, 2022 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 23-0221.

In a letter dated and received December 9, 2022, counsel requested that the appeal be withdrawn.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 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 withdrawal of the appeal is granted. The appeal docketed as No. 23-0221 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