

<sup>3</sup> 20 C.F.R. § 501.3(e).

The 180<sup>th</sup> day following the April 2, 2021 decision was September 29, 2021. As appellant did not file an appeal with the Board until December 14, 2022, more than 180 days after the April 2, 2021 OWCP decision, the Board finds that the appeal docketed as No. 23-0260 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not offered a reason to explain the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances. Because there is no final adverse decision issued by OWCP within 180 days of the filing of the instant appeal, the Board concludes that the appeal docketed as No. 23-0260, must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 23-0260 is dismissed.

Issued: February 3, 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

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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).