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

C.M., Appellant	)
and	)
DEPARTMENT OF THE ARMY, INSTALLATION MANAGEMENT	) )
COMMAND, Fort Carson, CO, Employer	)

Docket No. 22-1249 **Issued: March 8, 2023** 

Case Submitted on the Record

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

## **ORDER DISMISSING APPEAL**

Before: ALEC J. KOROMILAS, Chief Judge JANICE B. ASKIN, Judge VALERIE D. EVANS-HARRELL, Alternate Judge

On August 26, 2022 appellant filed an appeal from a purported July 29, 2022 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-1249.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.<sup>1</sup> This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed her appeal.<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> The only decision found in the case record dated July 29, 2022 is a Board order assigned

<sup>&</sup>lt;sup>1</sup> 5 U.S.C. § 8101 *et seq*.; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>&</sup>lt;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."

Docket Nos. 22-0145 and 20-1647.<sup>4</sup> As there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as Docket No. 22-1249 must be dismissed. Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as Docket No. 22-1249 is dismissed.<sup>5</sup>

Issued: March 8, 2023 Washington, DC

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

> Janice B. Askin, Judge Employees' Compensation Appeals Board

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

 $<sup>^{4}</sup>$  The Boards decisions and orders are "final upon the expiration of 30 days from the date of their issuance." 20 C.F.R. § 501.6(d).

 $<sup>^{5}</sup>$  To the extent that appellant's August 26, 2022 appeal may be construed as a timely petition for reconsideration of the Board's July 29, 2022 order in Docket No. 22-0145, the Board notes that the petition for reconsideration will be separately considered under Docket No. 22-0145. *See id.* at § 501.7(a).