

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

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| _____ |) | |
| T.W., Appellant |) | |
| |) | |
| and |) | Docket No. 23-0722 |
| |) | Issued: October 30, 2023 |
| U.S. POSTAL SERVICE, PROCESSING & DISTRIBUTION CENTER, Las Vegas, NV, Employer |) | |
| _____ |) | |

Appearances:
Eymi Leon, for the appellant¹
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
JAMES D. MCGINLEY, Alternate Judge

On April 20, 2023 Eymi Leon filed a timely appeal in this matter from a February 16, 2023 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 23-0722. Appellant did not sign the appeal.

By letter dated April 26, 2023, the Clerk of the Appellate Boards informed Ms. Leon that the Board required an appeal form signed by appellant. The letter requested that a signed appeal form be submitted to the Board within 30 days of the date of the letter. By letter dated June 8, 2023, the Clerk of the Appellate Boards informed appellant that the Board required that she sign the appeal form. The letter requested that her signed appeal form be submitted to the Board within 30 days of the date of the letter.

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 an 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.

The Board notes that Section 501.3(c)(6) requires that an appellant must sign the notice of appeal.² If appellant does not sign the notice of appeal, there is no valid appeal before the Board.

Neither appellant nor her representative filed an appeal form signed by appellant within the time allotted for submission of a proper appeal.

The Board has duly considered the matter and concludes that, as appellant has not filed a properly signed appeal form in this case, there is no valid appeal before the Board. Accordingly,

IT IS HEREBY ORDERED THAT the appeal assigned Docket No. 23-0722 is dismissed.³

Issued: October 30, 2023
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge
Employees' Compensation Appeals Board

² 20 C.F.R. § 501.3(c)(6).

³ 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).