

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

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<b>J.M., Appellant</b>	)	
	)	
<b>and</b>	)	<b>Docket No. 23-1077</b>
	)	<b>Issued: February 5, 2024</b>
<b>U.S. POSTAL SERVICE, POST OFFICE,</b>	)	
<b>San Antonio, TX, Employer</b>	)	
_____	)	

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

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

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

On August 9, 2023 appellant filed an appeal from a purported June 22, 2023 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 23-1077.

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 adverse decision issued by OWCP within 180 days of the date appellant filed his 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> As there is no final adverse decision issued by OWCP over which the Board may properly

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

<sup>2</sup> *Id.* at § 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 OWCP."

<sup>3</sup> *Id.* The Board notes that by order dated June 22, 2023 the Board remanded this case to OWCP for further development. *Order Remanding Case*, Docket No. 23-0162 (issued June 22, 2023).

exercise jurisdiction, the Board concludes that the appeal docketed as Docket No. 23-1077 must be dismissed.<sup>4</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as Docket No. 23-1077 is dismissed.

Issued: February 5, 2024  
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

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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. 20 C.F.R. § 501.6(d).