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

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D.S., Appellant and DEPARTMENT OF VETERANS AFFAIRS, DORRIS MILLER VA MEDICAL CENTER, Waco, TX, Employer

Docket No. 24-0124 Issued: February 22, 2024

Case Submitted on the Record

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

## ORDER DISMISSING APPEAL

<u>Before:</u> ALEC J. KOROMILAS, Chief Judge VALERIE D. EVANS-HARRELL, Alternate Judge JAMES D. McGINLEY, Alternate Judge

On November 25, 2023, appellant sought an appeal from a purported March 1, 2023 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0124.

The Board, having duly considered the matter, 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 adverse 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 neither contains a March 1, 2023 decision nor any decision from OWCP issued within 180 days from the date of docketing the current appeal.<sup>3</sup> As there is no final adverse decision issued by OWCP over which

<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."

the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 24-0124 must be dismissed.<sup>4</sup> Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 24-0124 is dismissed.

Issued: February 22, 2024 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

 $<sup>^4</sup>$  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).