

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

S.P., Appellant)

and)

DEPARTMENT OF VETERANS AFFAIRS,)
BOB STUMP DEPARTMENT OF VETERANS)
AFFAIRS MEDICAL CENTER, Prescott, AZ,)
Employer)
_____)

**Docket No. 23-1158
Issued: January 18, 2024**

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge
JAMES D. MCGINLEY, Alternate Judge

On September 5, 2023 the Clerk of the Appellate Boards inadvertently assigned Docket No. 23-1158 to a purported appeal from a decision of the Office of Workers' Compensation Programs (OWCP).

The Board, having duly considered this matter, notes that section 501.3(a) of the Board's *Rules of Procedure* provides that a "person adversely affected by a final decision of the Director [of OWCP], or his or her authorized Representative, may file for review of such decision by the Board."¹ Appellant checked the box on an OWCP "APPEAL REQUEST FORM," indicating that she was requesting an oral hearing before a representative of OWCP's Branch of Hearings and Review. She did not state any factual and legal argument in favor of a Board appeal or indicate that she was in fact filing an appeal.² Thus, the Board concludes that it was not appellant's intention to file an appeal from a final decision of OWCP. The Board therefore finds that neither a "person adversely affected" by a final OWCP decision, nor an "authorized Representative," has

¹ 20 C.F.R. § 501.3(a).

² *Id.* at § 501.3.

filed an appeal of a final decision issued by OWCP. As such, there is no valid appeal before the Board, and Docket No. 23-1158 must be dismissed. Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as Docket No. 23-1158 is dismissed.

Issued: January 18, 2024
Washington, DC

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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

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