United States Department of Labor Employees' Compensation Appeals Board

| D.S., Appellant |) |
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| and |) Docket No. 25-0264) Issued: February 11, 2025 |
| U.S. POSTAL SERVICE, CENTENNIAL POST OFFICE, Billings, MT, Employer |) Ssued. February 11, 2023) |
| Appearances: Appellant, pro se Office of Solicitor, for the Director | Case Submitted on the Record |

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge PATRICIA H. FITZGERALD, Deputy Chief Judge VALERIE D. EVANS-HARRELL, Alternate Judge

On January 21, 2025 appellant filed an appeal from an October 16, 2018 decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards assigned the appeal Docket No. 25-0264.

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.² This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed the appeal.³ The October 16, 2018 decision is not a final adverse decision as OWCP accepted appellant's claim. Therefore, it is not adverse to appellant and is not subject to appeal.⁴ As there is no final adverse decision issued by OWCP over which the Board may properly

¹ Although appellant indicated that she was appealing from a September 8, 2024 OWCP decision, the Board notes that there is no decision of record issued on that date. The only OWCP decision found in the case record is the October 16, 2018 acceptance decision.

² 5 U.S.C. § 8101 et seq.; 20 C.F.R. §§ 501.2(c) and 501.3(a).

³ 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."

⁴ *Id*.

exercise jurisdiction, the Board concludes that the appeal docketed as No. 25-0264 must be dismissed.⁵ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0264 is dismissed.

Issued: February 11, 2025 Washington, DC

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

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

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

⁵ 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).