

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

W.C., Appellant)
and) **Docket No. 25-0756**
U.S. POSTAL SERVICE, WEIRTON POST) **Issued: September 4, 2025**
OFFICE, Weirton, WV, Employer)

)

Appearances:

Alan J. Shapiro, Esq., for the appellant¹
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
JANICE B. ASKIN, Judge

On May 19, 2025 appellant, through counsel, filed a timely appeal from a decision of the Office of Workers' Compensation Programs (OWCP) dated May 14, 2025, which denied appellant's claim for expansion to include unspecified arthritis of the left knee and osteoarthritis of the left knee joint as causally related to the accepted employment injury. The Clerk of the Appellate Boards docketed the appeal as No. 25-0561.²

On July 31, 2025 appellant, through counsel, filed a timely appeal from a decision of OWCP dated May 9, 2025. The Clerk of the Appellate Boards docketed the appeal as No. 25-0756. The appeal in Docket No. 25-0756, however, concerns the same meri issue as that addressed in Docket No. 25-0561.

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 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.

² By decision dated July 8, 2025, the Board affirmed OWCP's May 14, 2025 decision. The Board decision became final after 30 days of issuance and is not subject to further review. 20 C.F.R. § 501.6(d).

The Board, having duly considered this matter, concludes that since there are now two docket numbers assigned to the same merit issue addressed by OWCP, the appeal docketed as No. 25-0756 must be dismissed.³ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0756 is dismissed.

Issued: September 4, 2025
Washington, DC

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

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

³ See G.H., Docket No. 22-0726 (issued April 5, 2024).