

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

A.M., Appellant

and

**U.S. POSTAL SERVICE, PLEASANT RIDGE
ANNEX POST OFFICE, Greensboro, NC,
Employer**

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**Docket No. 25-0813
Issued: September 23, 2025**

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 August 15, 2025 appellant filed an appeal from an April 23, 2024 nonmerit decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards docketed the appeal as No. 25-0813.

The Board, having duly considered this matter, notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.² For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's

¹ Appellant submitted a request for oral argument before the Board. 20 C.F.R. § 501.5(b). He also requested that the Board consider the evidence of record and asserted that he had previously filed a timely appeal. Pursuant to the Board's *Rules of Procedure*, oral argument may be held in the discretion of the Board. 20 C.F.R. § 501.5(a). The Board, in exercising its discretion, denies appellant's request for oral argument because the Board lacks jurisdiction over the merits of this case. Oral argument in this appeal would further delay issuance of a Board decision and not serve a useful purpose. As such, the oral argument request is denied, and this order is based on the case record as submitted to the Board.

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

review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.³

The 180th day following the April 23, 2024 decision was October 20, 2024. As appellant did not file an appeal with the Board until August 15, 2025, more than 180 days after the April 23, 2024 OWCP decision, the Board finds that the appeal docketed as No. 25-0813 is untimely filed.⁴ The Board is without jurisdiction to review the appeal. Appellant has not explained the failure to timely file an appeal with supporting documentation sufficient to establish compelling circumstances. Because there is no final adverse decision issued by OWCP within 180 days of the filing of the instant appeal, the Board concludes that the appeal docketed as No. 25-0813, must be dismissed.⁵ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0813 is dismissed.

Issued: September 23, 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

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 20 C.F.R. § 501.3(f) indicates that a notice of appeal is considered to have been filed only if received by the Clerk of the Appellate Boards.

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).