

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

M.A., Appellant

and

**DEPARTMENT OF VETERANS AFFAIRS,
MICHAEL E. DEBAKEY VA MEDICAL
CENTER, Houston, TX, Employer**

Docket No. 25-0886

Issued: January 7, 2026

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

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

ALEC J. KOROMILAS, Chief Judge

JANICE B. ASKIN, Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On August 20, 2025 appellant sought an appeal from a purported August 14, 2025 decision of the Office of Workers' Compensation Programs (OWCP), and a September 12, 2024 decision. The Clerk of the Appellate Boards docketed the appeal as No. 25-0886.

The Board, having duly considered this matter, notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act.¹ This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed her appeal.² As of the filing of the current appeal, the most recent OWCP decision was dated September 12, 2024. However, appellant previously appealed that decision to the Board. The August 14, 2025 decision was a Board decision assigned Docket No. 25-0671, wherein the Board dismissed the appeal of OWCP's September 12, 2024 decision as untimely filed.³ As there is no final adverse decision issued by OWCP within 180 days of the filing of this appeal over

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

² 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."

³ Docket No. 25-0671 (issued August 14, 2025).

which the Board may properly exercise jurisdiction, the Board finds that the appeal docketed as No. 25-0886 must be dismissed.⁴

IT IS HEREBY ORDERED THAT the appeal docketed as No. 25-0886 is dismissed.⁵

Issued: January 7, 2026
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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

⁴ To the extent that appellant's August 20, 2025 appeal may be construed as a timely petition for reconsideration of the Board's August 14, 2025 decision under Docket No. 25-0671, the appeal will be treated as a petition for reconsideration in Docket No. 25-0671.

⁵ The Board notes that, during the pendency of this appeal, OWCP issued August 25 and December 4, 2025 decisions. The Board concludes that OWCP's August 25, 2025 and December 4, 2025 decisions are null and void as the Board and OWCP may not simultaneously exercise jurisdiction over the same underlying issue in a case on appeal. 20 C.F.R. §§ 501.2(c)(3), 10.626; *see R.L.*, Docket No. 25-0834 (issued November 26, 2025); *A.B.*, Docket No. 21-1170 (issued August 28, 2023); *J.W.*, Docket No. 19-1688, n.1 (issued March 18, 2020); *Order Remanding Case, J.A.*, Docket No. 19-0981, n.2 (issued December 30, 2019); *Russell E. Lerman*, 43 ECAB 770 (1992); *Douglas E. Billings*, 41 ECAB 880 (1990).