

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

<p>E.S., Appellant</p> <p>and</p> <p>U.S. POSTAL SERVICE, WEIRTON POST OFFICE, Weirton, WV, Employer</p>)))))))
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**Docket No. 26-0022
Issued: January 14, 2026**

Appearances:

*Alan J. Shapiro, Esq., for the appellant¹
Office of Solicitor, for the Director*

Case Submitted on the Record

ORDER DISMISSING APPEAL

Before:

PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On October 20, 2025 appellant, through counsel, filed a timely appeal from a September 18, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0022.

In a letter received by the Clerk of the Appellate Boards on December 8, 2025, appellant, through counsel, requested that the appeal be withdrawn.

The Board, having duly considered this matter, concludes that appellant's request for the withdrawal of the appeal should be granted.² Accordingly,

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 an 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 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).

IT IS HEREBY ORDERED THAT appellant's request for the withdrawal of the appeal is granted. The appeal docketed as No. 26-0022 is dismissed.

Issued: January 14, 2026
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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