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D.C., Appellant	)	
	)	
and	)	Docket No. 26-0400
	)	Issued: July 6, 2026
U.S. POSTAL SERVICE, MEDINA CARRIER	)	
ANNEX, Medina, OH, Employer	)	
	)	

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

ORDER REMANDING CASE

Before:

ALEC J. KOROMILAS, Chief Judge
 JANICE B. ASKIN, Judge
 VALERIE D. EVANS-HARRELL, Alternate Judge

On March 26, 2026 appellant, through counsel, filed a timely appeal from a March 11, 2026 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0400.

On June 30, 2024 appellant, then a 53-year-old rural carrier associate, filed a notice of recurrence (Form CA-2a) alleging that on November 25, 2024 he sustained a recurrence of his April 4, 2023 left ankle injury.² He stopped work on November 29, 2024. OWCP converted this claim to a traumatic injury claim.

Appellant submitted medical evidence in support of his claim.

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 OWCP assigned the present claim OWCP File No. xxxxxx054. Under OWCP File No. xxxxxx940, appellant filed a Form CA-1 alleging that on May 29, 2021 he injured his left ankle. On August 25, 2021 OWCP accepted this claim for left ankle sprain. Under OWCP File No. xxxxxx991, appellant filed a Form CA-1 alleging that on April 4, 2023 he sustained a left ankle injury. OWCP accepted this claim for left ankle sprain on May 1, 2023. OWCP has not administratively combined these claims.

By decision dated June 6, 2025, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between appellant's diagnosed condition(s) and the accepted November 25, 2024 employment incident.

On July 1, 2025 appellant, through counsel, requested an oral hearing before a representative of OWCP's Branch of Hearings and Review. The oral hearing occurred on December 23, 2025.

By decision dated September 25, 2025, OWCP's hearing representative affirmed the June 6, 2025 decision.

The Board, having duly considered this matter, finds that the case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.³ For example, if a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body, doubling is required.⁴ Appellant's claims under OWCP File Nos. xxxxxx940 and xxxxxx991 also involved the left ankle and should, therefore, be administratively combined with the present claim for a full and fair adjudication.⁵ As the Board is unable to review evidence found in OWCP File Nos. xxxxxx940 and xxxxxx991 it is not in a position to make an informed decision regarding appellant's claim.⁶

The case shall, therefore, be remanded for OWCP to administratively combine OWCP File Nos. xxxxxx940 and xxxxxx991 with the present claim, OWCP File No. xxxxxx054. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

⁴ *Id.*; *L.G.*, Docket No. 18-1676 (issued August 22, 2019); *D.L.*, Docket No. 17-1588 (issued January 28, 2019).

⁵ *See C.Y.*, Docket No. 20-1079 (issued December 7, 2020); *L.G.*, *id.*; *K.T.*, Docket No. 17-0432 (issued August 17, 2018).

⁶ *See L.H.*, Docket No. 17-1960 (issued August 16, 2018); *K.P.*, Docket No. 15-1945 (issued February 10, 2016); *M.C.*, Docket No. 15-1706 (issued October 22, 2015).

IT IS HEREBY ORDERED THAT the March 11, 2026 decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further proceedings consistent with this order of the Board.

Issued: July 6, 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