

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

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**K.W., Appellant** )

**and** )

**DEPARTMENT OF THE ARMY, MANEUVER )  
SUPPORT CENTER OF EXCELLENCE, )  
COMMAND ELEMENT, )  
Fort Leonard Wood, MO, Employer** )  
\_\_\_\_\_ )

**Docket No. 22-1290  
Issued: May 8, 2023**

*Appearances:*  
*Victor A. Walker, for the appellant*<sup>1</sup>  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:

PATRICIA H. FITZGERALD, Deputy Chief Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On September 7, 2022, appellant through her representative, filed a timely appeal from an April 4, 2022, nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-1290.

In a letter dated and received January 26, 2023, appellant's representative requested that the appeal be withdrawn.

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<sup>1</sup> 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.

The Board has duly considered the matter and concludes that the representative's request for the withdrawal of the appeal should be granted.<sup>2</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** appellant's request for the withdrawal of the appeal is granted. The appeal docketed as No. 22-1290 is dismissed.

Issued: May 8, 2023  
Washington, DC

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

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

James D. McGinley, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>2</sup> 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).