United States Department of Labor Employees' Compensation Appeals Board

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B.C., Appellant)
and)
)
DEPARTMENT OF HOMELAND SECURITY,)
U.S. CUSTOMS AND BORDER PROTECTION,)
U.S. BORDER PATROL, San Ysidro, CA,)
Employer)
)

Docket No. 23-0630 Issued: May 2, 2023

Case Submitted on the Record

ORDER DISMISSING APPEAL

<u>Before:</u> PATRICIA H. FITZGERALD, Deputy Chief Judge VALERIE D. EVANS-HARRELL, Alternate Judge JAMES D. McGINLEY, Alternate Judge

On March 20, 2023 appellant filed an appeal from a purported February 6, 2023 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 23-0630.

The Board has duly considered the matter and notes that it has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act.¹ This jurisdiction encompasses any final adverse decision issued by OWCP within 180 days of the date appellant filed his appeal.² The case record as transmitted to the Board does not contain a final adverse decision of OWCP issued within 180 days from the date of docketing of the current appeal.³ Although appealed from a February 6, 2023 decision, there is no such decision found in the case record. As there is no final adverse decision issued by OWCP over which the Board

Appearances: Appellant, pro se

Office of Solicitor, for the Director

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."

may properly exercise jurisdiction, the Board concludes that the appeal docketed as No. 23-0630 must be dismissed.⁴ Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 23-0630 is dismissed.

Issued: May 2, 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

⁴ The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." *Id.* at § 501.6(d).