

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

\_\_\_\_\_ )  
D.P., Appellant )

and )

U.S. POSTAL SERVICE, MOORESVILLE )  
POST OFFICE, NORTHLAKE STATION, )  
 Mooresville, NC, Employer )  
\_\_\_\_\_ )

**Docket No. 24-0875**  
**Issued: November 22, 2024**

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

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:

JANICE B. ASKIN, Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On August 28, 2024 appellant filed a timely appeal from a June 21, 2024 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0875.

The Board, having duly considered this matter, notes that the Board and OWCP may not simultaneously exercise jurisdiction over the same issue(s) in a case on appeal.<sup>1</sup> By the June 21, 2024 decision, OWCP terminated appellant's wage-loss compensation and medical benefits arising from her accepted April 30, 2018 employment injury. However, on June 14, 2024, appellant had filed an appeal with the Board from a purported May 14, 2024 decision, regarding the same underlying merit issue, to which the Clerk of the Appellate Boards assigned Docket No. 24-0688. As the same underlying issue of whether appellant had continuing disability or medical residuals causally related to her accepted employment injury was pending before the Board in

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<sup>1</sup> 20 C.F.R. §§ 501.2(c)(3), 10.626; *Douglas E. Billings*, 41 ECAB 880 (1990). See also *Order Dismissing Appeal, M.B.*, Docket No. 23-0750 (issued July 20, 2023); *Order Dismissing Appeal, A.J.*, Docket No. 22-1336 (issued May 15, 2023); *Order Dismissing Appeal, M.H.*, Docket No. 22-0880 (issued November 4, 2022).

Docket No. 24-0688 when OWCP issued its June 21, 2024 termination decision, the Board concludes that OWCP's June 21, 2024 decision is null and void.<sup>2</sup>

As OWCP's June 21, 2024 termination decision is null and void, there is no final adverse decision issued by OWCP over which the Board may properly exercise jurisdiction. The Board, therefore, concludes that the appeal docketed as No. 24-0875 must be dismissed. Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 24-0875 is dismissed.

Issued: November 22, 2024  
Washington, DC

Janice B. Askin, 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> *Id.*; see also *G.W.*, Docket No. 19-0260 (issued July 10, 2020); *Cathy B. Millin*, 51 ECAB 331 (2000).