



INTERIOR BOARD OF INDIAN APPEALS

Margaret Hill v. Acting Sacramento Area Director, Bureau of Indian Affairs

16 IBIA 179 (07/18/1988)

Related Board case:
17 IBIA 3



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

MARGARET HILL,	:	Order Docketing and Dismissing
Appellant	:	Appeal
	:	
v.	:	
	:	Docket No. IBIA 88-32-A
ACTING AREA DIRECTOR, SACRAMENTO	:	
AREA OFFICE BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	July 18, 1988

On July 13, 1988, the Board of Indian Appeals received a notice of appeal from Margaret Hill, through counsel, Steven Hirsch, Esq., Oakland, California. Appellant states that she is appealing a May 17, 1988, decision of the Sacramento Area Office, Bureau of Indian Affairs (BIA), denying her eligibility for Housing Improving Program services.

Under 43 CFR 4.331, BIA decisions appealable to the Washington, D.C., office of BIA must be so appealed before a further appeal can be taken to the Board. One exception to this rule is set forth in 25 CFR 2.19, under which the Board has authority to review an appeal filed with the Washington office of BIA when that appeal has been ripe for decision in Washington for more than 30 days without a decision being issued. There is no indication in appellant's notice of appeal that she has had a ripe appeal pending before the Washington office for more than 30 days.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed as premature.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge