



INTERIOR BOARD OF INDIAN APPEALS

Charles J. Yarlott v. Acting Billings Area Director, Bureau of Indian Affairs

17 IBIA 157 (06/28/1989)



# United States Department of the Interior

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

CHARLES J. YARLOTT,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 89-64-A
ACTING BILLINGS AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	June 28, 1989

On May 5, 1989, the Board of Indian Appeals received a notice of appeal from Charles J. Yarlott, *pro se*. Appellant sought review of an April 3, 1989, decision of the Acting Billings Area Director, Bureau of Indian Affairs, declining to cancel Crow Tribal Lease Contract No. 0-7303, Tract No. 966, prior to October 31, 1989. Appellant became the owner of the tract pursuant to a land exchange with the Crow Tribe approved in September, 1988.

The Board issued a pre-docketing notice on May 5, 1989, requesting the Area Director to assemble and transmit the administrative record. By memorandum of May 15, 1989, the Area Director informed the Board that appellant and the lessee had entered into a cancellation agreement, pursuant to which the lease at issue in this appeal was cancelled effective April 30, 1989. The Area Director stated that he believed the cancellation agreement resolved the issue in this appeal.

By order of May 25, 1989, the Board requested appellant to notify the Board whether he wished to withdraw his appeal in light of the cancellation agreement. Appellant's response was received on June 28, 1989. He states that he is satisfied with the cancellation agreement and wishes to withdraw his appeal.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Acting Billings Area Director's decision of April 3, 1989, is dismissed with prejudice.

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//original signed  
Anita Vogt  
Administrative Judge

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge