



INTERIOR BOARD OF INDIAN APPEALS

Debra Van Dyke v. Juneau Area Director, Bureau of Indian Affairs

17 IBIA 240 (08/23/1989)



# United States Department of the Interior

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

DEBRA VAN DYKE,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 89-61-A
JUNEAU AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	August 23, 1989

This appeal was pending before the Washington, D.C., office of the Bureau of Indian Affairs (BIA) on March 13, 1989, the date new appeals regulations for BIA and the Board of Indian Appeals took effect. See 54 FR 6478 and 6483 (Feb. 10, 1989). On May 16, 1989, it was transmitted to the Board for consideration in accordance with the new procedures.

Appellant Debra Van Dyke seeks review of the Juneau Area Director's July 8, 1987, retroactive approval of a lease of certain restricted land in Fort Yukon, Alaska. The lease had been executed in 1976 by the landowner, appellant's grandmother, Nena Joseph, in favor of the Tanana Chiefs Regional Housing Authority, predecessor of the Interior Regional Housing Authority.

The most recent document in the record transmitted to the Board was a November 20, 1987, letter from appellant requesting that the appeal be put on hold and stating that she would notify BIA if she decided to withdraw her appeal in light of an October 21, 1987, order in Kathy Joseph et al. v. Interior Regional Housing Authority, et al., No. F 85-39, D. Alaska.

The Board requested appellant to notify the Board whether or not she wished to proceed with the appeal. Appellant did not respond. The Board then ordered appellant to show cause why her appeal should not be dismissed. Again, appellant failed to respond.

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 Juneau Area Director's July 8, 1987, retroactive lease approval is dismissed.

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Anita Vogt  
Administrative Judge

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge