



INTERIOR BOARD OF INDIAN APPEALS

Venoia Thompson Wright v. Tahlequah Superintendent, Bureau of Indian Affairs

19 IBIA 114 (12/13/1990)

Related Board case:
22 IBIA 1



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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VENOIA THOMPSON WRIGHT, Appellant v. TAHLEQUAH AGENCY SUPERINTENDENT, BUREAU OF INDIAN AFFAIRS, Appellee	: Order Docketing and Dismissing : Appeal : : : : Docket No. IBIA 91-24-A : : : December 13, 1990
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On December 12, 1990, the Board of Indian Appeals (Board) received a notice of appeal from Venoia Thompson Wright (appellant), pro se. Appellant states that she seeks review of the approval of a business lease of restricted Indian property located in Claremore, Oklahoma, to Joe C. Lane. Appellant indicates that she is one of six heirs to this property.

The appeal is docketed under the above case name and number which should be cited in all future correspondence or inquiries regarding the matter. The Board finds, however, that the circumstances of this case require that the appeal be dismissed without prejudice.

The decision at issue is the Tahlequah Agency Superintendent's January 9, 1990, approval of the lease. Under 25 CFR 2.4(a), the Muskogee Area Director has jurisdiction to review any decision issued by the Superintendent. The Board has been informed by the Cherokee Nation, which now performs the functions of the Tahlequah Agency under a P.L. 93-638 contract, that no notice of appeal to, or decision by, the Area Director appears in the lease file. Accordingly, the Board lacks jurisdiction to review this decision. 1/

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 Tahlequah Superintendent's January 9, 1990, lease approval is dismissed.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge

1/ It is not clear whether appellant was given notice of her right to appeal the approval of the lease. Under 25 CFR 2.7, the time for filing a notice of appeal does not begin to run until interested parties are properly advised of their appeal rights.