



INTERIOR BOARD OF INDIAN APPEALS

In the Matter of Isaac Bonaparte

23 IBIA 145 (01/07/1993)



United States Department of the Interior

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

IN THE MATTER OF
ISAAC BONAPARTE

: Order Docketing and Dismissing
: Appeal
:
: Docket No. IBIA 93-37-A
:
: January 7, 1993

On January 4, 1993, the Board of Indian Appeals (Board) received several documents from Isaac Bonaparte. The documents relate to a quiet-title action which Bonaparte initiated on November 14, 1983, and which concerns a roadway which traverses property owned by other individuals. The documents indicate that Bonaparte lost the litigation and was ordered to pay the prevailing party's costs and expenses. On October 18, 1991, Bonaparte appealed to the Supreme Court of the State of Idaho two September 6, 1991, judgments against him for attorney fees. There is no indication in the documents filed whether the Idaho Supreme Court has issued a decision in Bonaparte's appeal. There are other documents, however, showing that as of February 20, 1992, the Nez Perce Tribal Court refused to enforce the lower State court awards as a foreign judgment against Bonaparte on the grounds that, because an appeal was pending, the foreign judgment was not yet final under the Tribal Court's rules.

No cover letter accompanied the filings. The Board consequently does not know why Bonaparte decided to copy it with the documents. It is possible that Bonaparte filed them merely as informational. It is also possible, however, that Bonaparte believes the Board has some jurisdiction in this matter.

To the extent that Bonaparte believes that the Board has authority to take action in this matter, the Board treats his filing as an appeal. For the reasons discussed below, that appeal is docketed and dismissed.

The Board is not a court of general jurisdiction. Rather, it is limited by the delegation of authority from the Secretary of the Interior. Under 43 CFR 4.1(b)(2), the Board has authority to review decisions of officials of the Bureau of Indian Affairs and of Administrative Law Judges in Indian probate cases. The Board does not have authority to review decisions rendered by tribal or state courts. *See, e.g., Estate of Alice Mae Sasse*, 12 IBIA 281, 286 (1984). Accordingly, the Board lacks jurisdiction to review any decisions in this matter.

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 for lack of jurisdiction.

//original signed

Kathryn A. Lynn
Chief Administrative Judge

//original signed

Anita Vogt
Administrative Judge