



INTERIOR BOARD OF INDIAN APPEALS

Alvin Eugene Cole v. Acting Muskogee Area Director, Bureau of Indian Affairs

24 IBIA 49 (06/01/1993)

Denying reconsideration of:

23 IBIA 246

23 IBIA 295

24 IBIA 12



# United States Department of the Interior

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

|                                |   |                               |
|--------------------------------|---|-------------------------------|
| ALVIN EUGENE COLE,             | : | Order Denying Reconsideration |
| Appellant                      | : |                               |
|                                | : |                               |
|                                | : | Docket No. IBIA 93-5-A        |
| v.                             | : |                               |
| ACTING MUSKOGEE AREA DIRECTOR, | : |                               |
| BUREAU OF INDIAN AFFAIRS,      | : |                               |
| Appellee                       | : | June 1, 1993                  |

The Board of Indian Appeals (Board) received a filing from appellant Alvin Eugene Cole. This filing can only be interpreted as a third petition for reconsideration of the Board's March 22, 1993, decision. 23 IBIA 246; recon. denied, 23 IBIA 295, 24 IBIA 12 (1993).

The Board's regulations at 43 CFR 4.315(b) provide that "[a] party may file only one petition for reconsideration." Because appellant has already filed two petitions, the present petition for reconsideration is denied.

As the Board stated in its order denying reconsideration at 23 IBIA 295, the Board's decision is final for the Department. If appellant so desires, he can request review of the Board's decision in Federal court. Appellant has no further right of review within the Department of the Interior, and any further filings made by him in this case will not be considered.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1 and 4.315, this petition for reconsideration is denied.

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge