



INTERIOR BOARD OF INDIAN APPEALS

Allen Ross v. Aberdeen Area Director, Bureau of Indian Affairs

24 IBIA 103 (07/12/1993)



United States Department of the Interior

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

ALLEN ROSS,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 93-50-A
ABERDEEN AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	July 12, 1993

Appellant Allen Ross sought review of a January 8, 1993, decision of the Aberdeen Area Director, Bureau of Indian Affairs (Area Director), approving Flandreau Santee Sioux Tribal Ordinance No. 93-501, which addresses the distribution of revenues from a tribal gaming operation.

On June 14, 1993, the Board received a motion from the Area Director in which he sought a stay of further proceedings in this appeal. The Area Director based his motion on the fact that the parties, including appellant in this case, had reached a settlement in Ross v. Flandreau Santee Sioux Tribe, Civ. No. 91-4186 (D.S.D.), and that part of the settlement involved the dismissal of this appeal. A stay was granted by order dated June 15, 1993.

On July 12, 1993, the Board received a stipulation for dismissal of this appeal. The stipulation was signed by counsel for appellant and the Area Director, and stated that the settlement reached in the Federal litigation had rendered this appeal moot.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, and the stipulation of the parties, this appeal from the Aberdeen Area Director's January 8, 1993, decision is dismissed with prejudice.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge