



INTERIOR BOARD OF INDIAN APPEALS

Ellen Bynum v. Portland Area Director, Bureau of Indian Affairs

28 IBIA 42 (05/26/1995)



United States Department of the Interior

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

<p>ELLEN BYNUM, Appellant</p> <p>v.</p> <p>PORTLAND AREA DIRECTOR, BUREAU OF INDIAN AFFAIRS, Appellee</p>	<p>: Order Docketing and Dismissing : Appeal and Remanding Matter : to the Area Director : : Docket No. IBIA 95-111-A : : : May 26, 1995</p>
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This is an appeal from an April 12, 1995, decision of the Portland Area Director, Bureau of Indian Affairs, dismissing appellant's rental adjustment appeal on the grounds that she failed to post an appeal bond. The Board issued a pre-docketing notice on May 16, 1995.

On May 23, 1995, the Board received a letter from the Area Director, stating that, after issuing his decision, he learned that appellant had in fact secured an appeal bond but had failed to notify BIA that she had done so. The Area Director further states that he withdrew his April 12, 1995, decision prior to receiving a copy of appellant's notice of appeal to the Board. He requests that this matter be remanded to him for further action concerning appellant's appeal of her rental adjustment.

In accordance with the Area Director's request, and pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is docketed and dismissed, and the matter is remanded to the Area Director for further action as appropriate.

//original signed
Anita Vogt
Administrative Judge

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John H. Kelly
Administrative Judge
Alternate Member