



INTERIOR BOARD OF INDIAN APPEALS

Novak Brothers v. Acting Aberdeen Area Director, Bureau of Indian Affairs

32 IBIA 126 (04/08/1998)



United States Department of the Interior

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

NOVAK BROTHERS,
Appellant

v.

ACTING ABERDEEN AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Vacating Decision
: and Remanding Case

:
:
: Docket No. IBIA 98-22-A

:
:
: April 8, 1998

This is an appeal from a September 4, 1997, decision of the Acting Aberdeen Area Director, Bureau of Indian Affairs, cancelling Lease No. 88-240 on the Pine Ridge Reservation for failure to post a surety bond.

On March 25, 1998, the Board received a filing from the Area Director, requesting remand of this case. The Area Director states that she seeks a remand for the purpose of reconsidering her decision. She further states that Appellant does not oppose the request for remand.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Area Director's September 4, 1997, decision is vacated, and this matter is remanded to her for further consideration.

//original signed
Anita Vogt
Administrative Judge

//original signed
Kathryn A. Lynn
Chief Administrative Judge