



INTERIOR BOARD OF INDIAN APPEALS

S.E. Investments v. Billings Area Director, Bureau of Indian Affairs

33 IBIA 21 (09/18/1998)

Related Board case:
34 IBIA 243



United States Department of the Interior

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

S.E. INVESTMENTS,
Appellant

v.

BILLINGS AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Vacating Area Director's
: Decision and Remanding Case
:
:
: Docket No. IBIA 98-94-A
:
:
: September 18, 1998

This is an appeal from a March 25, 1998, decision of the Billings Area Director, Bureau of Indian Affairs, affirming the award of a lease of Crow Allotments 1956 and 1959 to Dan Schwend.

After Appellant's opening brief was filed, the Area Director asked the Board to vacate his decision and remand this matter to him for reconsideration.

By order dated July 29, 1998, the Board gave the parties an opportunity to respond to the Area Director's request. No responses have been received.

The Area Director has stated that a remand will likely expedite a final resolution of the underlying controversy. The Board sees no reason to doubt the Area Director's perception in this regard.

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 March 25, 1998, decision is vacated, and this matter is remanded to him for reconsideration.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge