



INTERIOR BOARD OF INDIAN APPEALS

Betty Pierre, et al. v. Acting Northwest Regional Director, Bureau of Indian Affairs

35 IBIA 187 (09/12/2000)



United States Department of the Interior

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

BETTY PIERRE et al.,
Appellants

v.

ACTING NORTHWEST REGIONAL
DIRECTOR, BUREAU OF INDIAN
AFFAIRS,

Appellee

: Order Docketing Appeal,
: Vacating Decisions, and
: Remanding Matter to
: Regional Director
:
:
: Docket No. IBIA 00-109-A
:
:
: September 12, 2000

The original appeal in this matter was filed by Betty Pierre, Hank Winnier, Joyce Kahclamat, Lincoln Kahclamat, Lillian Tynan, Beatrice Aleck, and Julie Estrada. They sought review of July 10, 2000, decisions issued by the Acting Northwest Regional Director, Bureau of Indian Affairs, which dismissed as untimely appeals filed by Appellants from bills for operation and maintenance assessments on the Wapato Irrigation Project.

On September 5, 2000, the Board received an amended notice of appeal from the original Appellants. The amended notice complies with the requirements of the Board's order of August 15, 2000. Therefore, their appeal is now properly filed.

On September 11, 2000, the Board received a motion to add Seymour Billy as an Appellant. On the same day, the Board received the Regional Director's response to the Board's August 15, 2000, order. As he did in Corpuz v. Acting Northwest Regional Director, 35 IBIA 149 (2000), the Regional Director concedes that he is unable to prove that the appeals made to him by these Appellants (including Seymour Billy) were untimely. Accordingly, the Board adds Billy as an Appellant and makes the same disposition here as it did in Corpuz.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is docketed, the Regional Director's July 10, 2000, decisions concerning these Appellants are vacated, and this matter is remanded to him for consideration of the merits of Appellants' appeals.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge