



INTERIOR BOARD OF INDIAN APPEALS

Michael J. James v. Rocky Mountain Regional Director, Bureau of Indian Affairs

35 IBIA 253 (11/20/2000)

Denying reconsideration of:  
35 IBIA 220



# United States Department of the Interior

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

MICHAEL J. JAMES,	:	Order Denying Reconsideration
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 01-7-A
ROCKY MOUNTAIN REGIONAL	:	
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	November 20, 2000

Appellant Michael J. James seeks reconsideration of a decision issued by the Board on October 24, 2000. 35 IBIA 220. In that decision, the Board affirmed the holding of the Rocky Mountain Regional Director, Bureau of Indian Affairs, that he did not have authority to grant the relief Appellant sought. The Board informed Appellant that the relief he sought was possible only through reopening of the estate of Nel R. Miller. The Board further provided Appellant with the name and address of the Administrative Law Judge with whom he should file any petition for reopening.

Reconsideration of Board decisions is governed by 43 CFR § 4.315(a), which provides that reconsideration “will be granted only in extraordinary circumstances.” Appellant’s petition shows that he disagrees with the Board’s decision, but raises no extraordinary circumstances that would justify reconsideration.

Appellant is again advised that if he wishes to pursue this matter, he should file a petition for reopening with the Administrative Law Judge, who will consider the petition under the appropriate Departmental regulations and caselaw.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this petition for reconsideration is denied.

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge