



INTERIOR BOARD OF INDIAN APPEALS

Charlene W. Delaunay v. Unidentified Appellee

36 IBIA 64 (03/12/01)



# United States Department of the Interior

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

CHARLENE W. DELAUNAY,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	Docket No. IBIA 01-17-A
	:	
UNIDENTIFIED APPELLEE,	:	
Appellee	:	March 12, 2001

On October 16, 2000, the Board of Indian Appeals (Board) received a letter from Charlene W. Delaunay. It appeared that Delaunay intended the letter to constitute an appeal concerning the delivery of irrigation water to pasture lands which she leased on the Wind River Reservation. However, although Delaunay mentioned actions taken or not taken by the Tribal Water Board, the brother of a member of the Tribal Water Board, and the Wind River Agency, Bureau of Indian Affairs (BIA), she did not identify any specific BIA decision from which she was appealing.

By order dated October 17, 2000, the Board notified Delaunay that it is not a court of general jurisdiction, but has only that authority which has been delegated to it by the Secretary of the Interior. The Board stated that, in general, it has been delegated authority to review decisions issued by BIA Regional Directors. The Board also noted that if Delaunay was attempting to force BIA to take action in regard to a general complaint, she was required to follow the procedures set out in 25 C.F.R. § 2.8, "Appeal from inaction of official."

The Board gave Delaunay until November 17, 2000, to identify the BIA decision from which she was appealing or to otherwise show that the Board had jurisdiction in this matter. The order stated that if Delaunay failed to show that the Board had jurisdiction, her appeal would be dismissed.

The Board has not received a response.

Therefore, 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 dismissed for failure to show a cause of action over which the Board has jurisdiction.

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Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge