



INTERIOR BOARD OF INDIAN APPEALS

Douglas Gilham v. Northwest Regional Director, Bureau of Indian Affairs

36 IBIA 86 (03/21/2001)



United States Department of the Interior

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

DOUGLAS GILHAM,	:	Order Docketing and Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 01-96-A
NORTHWEST REGIONAL DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	March 21, 2001

The Board of Indian Appeals (Board) has received an unsigned notice of appeal from Douglas Gilham (Appellant). Appellant seeks review of a December 29, 2000, decision issued by the Northwest Regional Director, Bureau of Indian Affairs (Regional Director), adjusting the rental rate for Hermosa Point Lease 8442, Lot 24, Block 2, apparently on the Tulalip Reservation in the State of Washington. For the reason discussed below, the Board dismisses this appeal.

The Regional Director’s decision specifically informed Appellant that any notice of appeal to the Board “must be signed by you or your attorney.” Dec. 29, 2000, Decision at 4. The decision also notified Appellant that an appeal to the Board was governed by regulations found in 43 C.F.R. §§ 4.310-4.340. The statement in the Regional Director’s decision that a notice of appeal must be signed informs interested parties of the requirement in 43 C.F.R. § 4.332(a), that “[a] notice of appeal shall be in writing, signed by the appellant or by his attorney of record or other qualified representative as provided by 43 C.F.R. 1.3.”

Because the notice of appeal here was unsigned, it cannot be accepted. See, e.g., Bobb v. Phoenix Area Director, 32 IBIA 241, recon. denied, 32 IBIA 289 (1998); Losh v. Acting Phoenix Area Director, 32 IBIA 61, n.1 (1998).

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 from the Regional Director’s December 29, 2000, decision is docketed but dismissed.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge