



INTERIOR BOARD OF INDIAN APPEALS

Clayton and Charlene Kjerstad v. Aberdeen Area Director, Bureau of Indian Affairs

36 IBIA 130 (04/25/2001)



# United States Department of the Interior

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

CLAYTON and CHARLENE KJERSTAD,	:	Order Dismissing Appeal as Moot
Appellants	:	
	:	
v.	:	
	:	Docket No. IBIA 00-6-A
ABERDEEN AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	April 25, 2001

Appellants Clayton and Charlene Kjerstad sought review of a September 3, 1999, decision of the Aberdeen Area Director, Bureau of Indian Affairs (Area Director), cancelling Lease Nos. 95-84 and 95-88, covering, respectively, Allotments 5746 and 4200 on the Pine Ridge Reservation. For the reason discussed below, the Board of Indian Appeals (Board) dismisses this appeal as moot.

The administrative record shows that the terms of both of these leases extended from April 1, 1995, through December 31, 1999. Thus, the leases expired by their own terms on December 31, 1999, rendering moot the issue of their cancellation. See, e.g., Small v. Rocky Mountain Regional Director, 36 IBIA 53 (2001), and cases cited there.

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 as moot.

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Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge