



INTERIOR BOARD OF INDIAN APPEALS

Estate of Joseph Heanan

39 IBIA 191 (11/19/2003)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

ESTATE OF JOSEPH HEANAN : Order Docketing and Dismissing Appeal
:
: Docket No. IBIA 03-144
:
: November 19, 2003

Appellant Josephia Heanan sought review of a July 15, 2003, Order Denying Petition for Rehearing entered in the Estate of Joseph Heanan by Administrative Law Judge William E. Hammett. IP SA 76 N 00. For the reason below, the Board docketed this appeal, but dismisses it for failure to prosecute.

Appellant is required to serve copies of all documents filed with the Board on all interested parties. 43 C.F.R. § 4.310(b), 4.320(b). Appellant's notice of appeal did not include a statement that she served all interested parties.

In its September 23, 2003, pre-docketing notice, the Board ordered Appellant to provide a statement of service with the Board that she served her notice of appeal and attachments on all other interested parties on or before November 3, 2003. The Board advised her that, "If Appellant fail[ed] to respond to this order, her appeal will be dismissed for failure to prosecute." (Emphasis omitted).

The Board has received no response from Appellant.

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 docketed, but dismissed for failure to prosecute.

//original signed
Kathleen R. Supernaw
Acting Administrative Judge

//original signed
Kathryn A. Lynn
Administrative Judge