



INTERIOR BOARD OF INDIAN APPEALS

Connie Whirlwindhorse v. Acting Great Plains Regional Director,  
Bureau of Indian Affairs

39 IBIA 194 (11/21/2003)



# 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

CONNIE WHIRLWINDHORSE,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 03-124-A
ACTING GREAT PLAINS REGIONAL	:	
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	November 21, 2003

Appellant Connie Whirlwindhorse sought review of a May 30, 2003, decision of the Acting Great Plains Regional Director, Bureau of Indian Affairs (Regional Director), concerning the cancellation of her grazing lease on Range Unit 186 on the Pine Ridge Reservation, South Dakota. For the reason below, the Board dismisses this appeal 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 16, 2003, Notice of Docketing and Order Requiring Statement of Service on Interested Parties, the Board ordered Appellant to serve a copy of her July 8, 2003, notice of appeal with attachments on those parties listed on the distribution list, and provide the Board with a statement that she has done so on or before November 1, 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 dismissed for failure to prosecute.

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// original signed  
Kathleen R. Supernaw  
Acting Administrative Judge

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// original signed  
Kathryn A. Lynn  
Administrative Judge