



## INTERIOR BOARD OF INDIAN APPEALS

Turtle Mountain Band of Chippewa Indians v. Great Plains Regional Director,  
Bureau of Indian Affairs

41 IBIA 279 (10/04/2005)

Related Board case:  
46 IBIA 16



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
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TURTLE MOUNTAIN BAND OF	:	Order Dismissing Appeal
CHIPPEWA INDIANS,	:	
Appellant,	:	
	:	
v.	:	
	:	Docket No. IBIA 05-94-A
GREAT PLAINS REGIONAL	:	
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee.	:	October 4, 2005

On August 3, 2005, the Turtle Mountain Band of Chippewa Indians (Tribe) filed an appeal with the Board of Indian Appeals (Board) seeking review of a June 21, 2005, decision of the Great Plains Regional Director, Bureau of Indian Affairs (Regional Director). In the portion of the decision challenged by the Tribe, the Regional Director disapproved an amendment to Article II, Section 1 (Territory) of the Turtle Mountain Constitution.

Because it appeared that the appeal might be untimely, the Board ordered the Tribe to certify, on or before August 26, 2005, the date on which the Tribe received the decision. See 43 C.F.R. § 4.332(a) (notice of appeal must be filed with the Board within 30 days after an appellant receives the decision). In its order, dated August 9, 2005, the Board stated that “[a]ppellant’s failure to comply with this order may result in summary dismissal of this appeal without further notice.”

The Board has received no response from the Tribe.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses this appeal for failure to prosecute.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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// original signed  
Katherine J. Barton  
Acting Administrative Judge