



INTERIOR BOARD OF INDIAN APPEALS

Ronald Yellow v. Great Plains Regional Director, Bureau of Indian Affairs

44 IBIA 83 (01/12/2007)



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

RONALD YELLOW,	:	Order Docketing and Dismissing
Appellant,	:	Appeal
	:	
v.	:	
	:	
GREAT PLAINS REGIONAL	:	Docket No. IBIA 07-35-A
DIRECTOR, BUREAU OF	:	
INDIAN AFFAIRS,	:	
Appellee.	:	January 12, 2007

Appellant Ronald Yellow appealed a September 18, 2006 decision of the Great Plains Regional Director, Bureau of Indian Affairs (Regional Director). The Regional Director's decision upheld the Standing Rock Agency Superintendent's decision determining that Appellant had committed an agricultural land trespass and assessing Appellant a total of \$10,786.53, for lost grazing revenue and for fire suppression, investigation, and archaeological mitigation costs. The Board of Indian Appeals (Board) docketed this appeal, but dismisses it for failure to prosecute.

Appellant filed his notice of appeal without certifying or otherwise indicating that he had served a copy of the notice of appeal on the Assistant Secretary - Indian Affairs, the Regional Director, and all interested parties known to him, as required by 43 C.F.R. 4.333, and as advised in the Regional Director's decision. On October 23, 2006, the Board issued an order requiring Appellant, on or before November 13, 2006, to serve copies of his notice of appeal and to submit a statement to the Board that he had done so. The Board advised Appellant that failure to respond to the order could result in dismissal of the appeal without further notice.

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, the Board docketed this appeal, but dismisses it for failure to prosecute.

I concur:

 // original signed
Steven K. Linscheid
Chief Administrative Judge

 // original signed
Debora G. Luther
Administrative Judge