



INTERIOR BOARD OF INDIAN APPEALS

Rainell White Shirt v. Acting Rocky Mountain Regional Director, Bureau of Indian Affairs

47 IBIA 17 (04/17/2008)

Petition for Reconsideration dismissed:

52 IBIA 34



United States Department of the Interior

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

RAINELL WHITE SHIRT,)	Order Docketing and Dismissing Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 08-47-A
ACTING ROCKY MOUNTAIN)	
REGIONAL DIRECTOR, BUREAU)	
OF INDIAN AFFAIRS,)	
Appellee.)	April 17, 2008

On February 21, 2008, the Board of Indian Appeals (Board) received a notice of appeal from Rainell White Shirt (Appellant), *pro se*. Appellant seeks review of a January 11, 2008, decision of the Acting Rocky Mountain Regional Director, Bureau of Indian Affairs (Regional Director; BIA). The Regional Director upheld a decision of the Crow Agency Superintendent, BIA, approving a right-of-way for Sunlight Ranch Company/Sinclair Oil Company crossing Allotment No. 1198 located on the Crow Indian Reservation in Bighorn County, Montana. The Board docketed this appeal, but dismisses it for failure to prosecute.

Appellant filed her notice of appeal without certifying or otherwise indicating that she had sent a copy of her notice of appeal to all interested parties known to her and to the Assistant Secretary - Indian Affairs, as required by 43 C.F.R. § 4.333, and as advised in the Regional Director's decision. On February 25, 2008, the Board ordered Appellant, on or before March 19, 2008, to send a copy of her notice of appeal to all interested parties and the Assistant Secretary - Indian Affairs, and by that same date to file a statement with the Board that she had done so. The Board advised Appellant that failure to comply with the order could result in dismissal of her 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
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge