



INTERIOR BOARD OF INDIAN APPEALS

M & R Oilfield Services, LLC v. Western Regional Director, Bureau of Indian Affairs

50 IBIA 71 (07/10/2009)



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

M & R OILFIELD SERVICES, LLC,)	Order Docketing and Dismissing
Appellant,)	Appeal
)	
v.)	
)	Docket No. IBIA 09-116
WESTERN REGIONAL DIRECTOR,)	
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	July 10, 2009

On July 7, 2009, the Board of Indian Appeals (Board) received a Notice of Appeal and Request for Extension of Time from M & R Oilfield Services, LLC (M & R), in which M & R seeks to appeal to the Board from a decision of the Western Regional Director, Bureau of Indian Affairs (Regional Director), denying M & R's request for an extension of time in which to file a statement of reasons in an appeal that M & R has pending before the Regional Director.¹

The Regional Director's decision denying M & R's request for an extension is an interim procedural ruling, which is not appealable to the Board. *See Yakama Nation v. Northwest Regional Director*, 47 IBIA 117 (2008).

¹ M & R identifies the date of the Regional Director's decision as July 2, 2009, which is the date of an e-mail from a Regional Realty Specialist, advising M & R of the due date for its statement of reasons, and stating that a formal letter would follow. The Board separately obtained from the Regional Director's office a copy of a July 6, 2009, letter from the Regional Director to counsel for M & R, denying its request for reconsideration of an apparent earlier denial of its request for an extension. The Board construes M & R's notice of appeal as seeking review of the Regional Director's July 6, 2009, letter.

M & R's underlying appeal to the Regional Director is from a May 28, 2009, decision of the Superintendent of the Uintah and Ouray Agency regarding BIA Facilities Lease No. 6FL0006125.

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 lack of jurisdiction.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge