



INTERIOR BOARD OF INDIAN APPEALS

Estate of Georgiana R. Ward

51 IBIA 87 (01/20/2010)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ESTATE OF GEORGIANA R. WARD) Order Dismissing Appeal
)
) Docket No. IBIA 09-22
)
) January 20, 2010

Appellant Siegfried H. Ward, who is Decedent’s former spouse, appealed to the Board of Indian Appeals (Board) from an “Order Denying Petition to Reopen from Claimant Siegfried Ward” entered on September 30, 2008, by Administrative Law Judge (ALJ) Thomas F. Gordon in the Estate of Georgiana R. Ward, deceased Agua Caliente Indian, Probate No. P000015891IP (formerly, SA-34-N-05). Appellant contended that he was entitled to funds from Decedent’s estate for unpaid spousal support.

On September 25, 2009, Decedent’s heirs notified the Board that Appellant’s claim against Decedent’s estate had been settled. The Board referred the settlement to the ALJ and authorized him to approve (or not to approve) the settlement in accordance with the provisions of 73 Fed. Reg. 67,256, 67,295 (Nov. 13, 2008), *to be codified at* 43 C.F.R. § 30.150, and enter an appropriate order. The Board advised the ALJ and the parties that if the ALJ approved the settlement, the Board would dismiss this appeal as moot.

On January 14, 2010, the Board received an order from the ALJ in which he evaluated the parties’ settlement pursuant to section 30.150(a), approved the settlement, and modified the final probate decision, dated April 30, 2007, accordingly. Therefore, we now find Appellant’s appeal is moot.

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 as moot.

I concur:

// original signed
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge