



INTERIOR BOARD OF INDIAN APPEALS

Estate of Kyle Ray Fleming, Jr.

53 IBIA 154 (04/28/2011)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ESTATE OF KYLE RAY)	Order Docketing Appeal, Vacating
FLEMING, JR.)	Decision, and Remanding
)	
)	
)	Docket No. IBIA 11-099
)	
)	April 28, 2011

On April 15, 2011, the Board of Indian Appeals (Board) received a notice of appeal from the Acting Superintendent of the Pine Ridge Agency (Superintendent), Bureau of Indian Affairs, seeking review of an Order Denying Reopening (Reopening Order) entered on March 14, 2011, by Indian Probate Judge R. Bryan M^cDaniel (IPJ) in the estate of Kyle Ray Fleming, Jr. (Decedent), deceased Oglala Sioux (Pine Ridge) Indian, Probate No. P000030810IP. The IPJ denied a request by the Superintendent for a modification order to add property to Decedent's estate inventory to include and distribute additional trust property located on the Oglala Sioux (Pine Ridge) Reservation.

On April 21, 2011, the Board received from the IPJ a request that the Board remand the matter for further consideration.

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, vacates the IPJ's March 14, 2011, Reopening Order, and remands the matter to the IPJ for further consideration and issuance of a new decision.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge