



## INTERIOR BOARD OF INDIAN APPEALS

Susan Voyles and Victor T. Fleury v. Alaska Regional Director, Bureau of Indian Affairs

54 IBIA 20 (08/10/2011)

Related Board case:  
52 IBIA 220



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
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SUSAN VOYLES and VICTOR T. FLEURY,	)	Order Docketing and Dismissing Appeals
Appellants,	)	
v.	)	Docket Nos. IBIA 11-115
	)	11-118
ALASKA REGIONAL DIRECTOR,	)	
BUREAU OF INDIAN AFFAIRS,	)	
Appellee.	)	August 10, 2011

These consolidated appeals were filed separately by Susan C. Voyles and Victor T. Fleury (collectively, Appellants) from an April 15, 2011, decision of the Alaska Regional Director (Regional Director), Bureau of Indian Affairs (BIA), denying Voyles’ application to convey to Fleury, by gift deed, her fractional interest in Native allotment A-60538.<sup>1</sup> On receipt of the appeals, the Board of Indian Appeals (Board) ordered each Appellant to serve copies of his or her respective notice of appeal on the Assistant Secretary - Indian Affairs, the Regional Director, and the other interested parties, as required by 43 C.F.R. §§ 4.310(b) and 4.333(a). *See* Pre-Docketing Notice, Order Consolidating Appeals, and Order for each Appellant to Complete Service, May 24, 2011. The Board’s order required Appellants to complete these service requirements by June 27, 2011, and to inform the Board by that same date that they had done so. The Board advised Appellants that if they failed to comply with the order, their appeals might be summarily dismissed without further notice.

The U.S. Postal Service’s Track-and-Confirm service on its web site indicates that Voyles received her copy of the Board’s order on May 28, 2011, and Fleury received his

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<sup>1</sup> The Regional Director concluded that the transaction was not in Voyles’ long range best interest. The decision was issued after the Board granted an earlier request from the Regional Director to remand the matter to him. *See Voyles v. Acting Alaska Regional Director*, 52 IBIA 220 (2010).

Voyles’ appeal consisted of a letter from her to BIA, dated May 4, 2011, with a “cc” sent to the Board. Because Voyles’ letter appears to take issue with certain findings in the Regional Director’s decision, the Board construed it as a notice of appeal.

copy of the Board's order on May 27, 2011. The Board has received no response from Appellants.

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 but dismisses these appeals for failure to prosecute.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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// original signed  
Debora G. Luther  
Administrative Judge