



INTERIOR BOARD OF INDIAN APPEALS

Estate of Fern Ruby Paul

55 IBIA 130 (06/22/2012)



petitioned to reopen the estate to remove Appellant as an heir because of her adoption, explained the consequences of granting BIA's petition, and provided the parties with an opportunity to respond to the petition. The Reopening Order stated that no objections were filed.

The Board set a deadline of May 18, 2012, for Appellant to comply with the Board's order, and advised Appellant that if she failed to respond to the Board's order, her appeal might be dismissed without further notice.

Although, as noted above, Appellant advised the Board that she had served her notice of appeal on interested parties, Appellant did not respond to the Board's order to show cause why her appeal should not be dismissed as untimely or why the ALJ's Reopening Order should not be summarily affirmed. Accordingly, the Board will dismiss this appeal for failure to prosecute. *See Estate of Glade Sylvia Willis*, 54 IBIA 316, 317 (2012) (dismissing appeal because appellant failed to respond to an order to show cause); *Estate of Louise Two Bears*, 54 IBIA 232, 233 (2012) (same).

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 this appeal 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