



INTERIOR BOARD OF INDIAN APPEALS

Estate of John Ignace

3 IBIA 221 (01/20/1975)

Related Board case:  
5 IBIA 50



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

IN THE MATTER OF THE ESTATE OF                   : ORDER OF REMAND  
    JOHN IGNACE                                        :  
DECEASED UNALLOTTED KALISPEL                : IBIA 75-29  
103-N1007                                            :  
Probate No. IP PO 200L 74-119                 : January 20, 1975

A notice of docketing was issued in the above-entitled matter by this Board on December 2, 1974, wherein the appellant was allowed 30 days within which to file legal briefs or statements in support of her appeal. No briefs or statements have been filed by the appellant within the time allowed under the said notice. Moreover, neither has the appellant filed any objection or opposition to Administrative Law Judge Robert C. Snashall's request of January 6, 1975, that the matter be remanded to him for further proceedings along the lines set forth in the request, copy whereof is attached hereto. Accordingly, the Judge's request is hereby granted and the matter is remanded for the purposes set forth in said request.

The notice of docketing heretofore entered under date of December 2, 1974, be, and the same is hereby vacated.

Done at Arlington, Virginia.

\_\_\_\_\_  
//original signed  
Alexander H. Wilson  
Administrative Judge

I concur:

\_\_\_\_\_  
//original signed  
David J. McKee  
Chief Administrative Judge

Attachment



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
P.O. BOX 3785  
PORTLAND, OREGON 97208

Memorandum

January 3, 1975

To: David J. McKee, Chief Administrative Judge, Board of Indian Appeals  
Office of Hearings and Appeals, Arlington, VA

From: Office of Hearings and Appeals, Portland, OR

Subject: Estate of John Ignace, Deceased Spokane Kalispel 103-N1007  
Docket No. IBIA 75-29

In view of the Board's decision in the estate of Theodore Shockto, IBIA 74-1 (decided April 12, 1974), holding the Act of August 15, 1953, (P.L. 280) applicable to Indian probate decisions, it appears further proceedings at the hearing level are needed. The record as it presently stands is not determinative of the applicability of P.L. 280 under the facts there existing. This matter was heard on April 24, 1974, and the Order Determining Heirs issued on May 2, 1974, both at a time subsequent to the decision in the estate of Theodore Shockto but prior to our becoming aware of the decision by receipt of a copy thereof.

Accordingly, may we request in the interest of expediting this matter and saving the Board additional unnecessary work, file be remanded to this office for further proceedings at the trial level.

//original signed  
ROBERT C. SNASHALL  
Administrative Law Judge