



## INTERIOR BOARD OF INDIAN APPEALS

Southern Pacific Transportation Co. v. Phoenix Area Director, Bureau of Indian Affairs

7 IBIA 98 (08/18/1978)

Judicial review of this case:

Summary judgment for plaintiff, (D. Nev.)

Reversed & remanded, 700 F.2d 550 (9th Cir. 1983)

Certiorari denied, 464 U.S. 960 (1983)

Rehearing denied, 464 U.S. 1064 (1984)



# United States Department of the Interior

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

ADMINISTRATIVE APPEAL OF  
SOUTHERN PACIFIC TRANSPORTATION COMPANY  
v.  
AREA DIRECTOR, PHOENIX AREA OFFICE

IBIA 78-16-A

Docketed and Decided August 18, 1978

Dismissed.

Under date of August 4, 1978, Southern Pacific Transportation Company, through its attorneys, Echeverria & Osborne, Chartered, filed with this Board a notice of appeal from the decision of the Assistant Secretary for Indian Affairs dated June 19, 1978, affirming the Phoenix Area Director's decision of December 12, 1977, in rejecting for filing Southern Pacific Transportation Company's application for a railroad right-of-way across tribal lands on the Walker River Reservation.

The decision of June 19, 1978, issued in the capacity of Assistant Secretary, constituted final agency action, thereby precluding further additional review. 25 CFR 1.2. Accordingly, the appeal of Southern Pacific Transportation Company is hereby dismissed.

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//original signed  
Alexander H. Wilson  
Chief Administrative Judge

I concur:

\_\_\_\_\_  
//original signed  
Mitchell J. Sabagh  
Administrative Judge