



INTERIOR BOARD OF INDIAN APPEALS

Estate of George (Skunkneck) White Antelope

7 IBIA 108 (12/16/1978)



United States Department of the Interior

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

ESTATE OF GEORGE (SKUNKNECK) WHITE ANTELOPE

IBIA 79-5

Decided December 6, 1978

Appeal from an order denying petition for rehearing.

Docketed and Dismissed.

1. Indian Probate: Appeals: Timely Filing

An appeal not filed within the time specified under Departmental Probate regulations will not be entertained and will be dismissed.

APPEARANCES: Githen K. Rhoads, Esquire, of Rhoads and Johnson, for Charles White Antelope, Appellant

OPINION BY CHIEF ADMINISTRATIVE JUDGE WILSON

The above-entitled matter comes before this Board on a Notice of Appeal, dated November 21, 1978, filed by Charles White Antelope through his attorney, Githen K. Rhoads of Rhoads and Johnson, hereinafter referred to as petitioner, with Administrative Law Judge Sam E. Taylor. The Notice of Appeal was received by the Judge on November 22, 1978. The appeal is from an Order Denying Petition for Rehearing issued and mailed on September 22, 1978.

43 CFR 4.291(a) concerning appeals provides:

(a) Notice of appeal. The appellant shall file a written notice of appeal signed by him or his attorney or other qualified representative, in the office of the Administrative Law Judge who issued the decision being appealed, within 60 days after the date of mailing of the notice of the decision being appealed.

[1] An appeal not filed within the time specified under Departmental probate regulations will not be entertained and will be dismissed. Estate of Coffee No. 2, IA-926 (December 18, 1959); Estate of Alex (Boney) Dixon and Kenneth A. Dixon, IA-1148 (April 28, 1961); Estate of Edward Alpheus Jones, 5 IBIA 138 (1976).

