



INTERIOR BOARD OF INDIAN APPEALS

Estate of Eastman John Kipp

13 IBIA 311 (10/31/1985)

Denying reconsideration of:
13 IBIA 242



United States Department of the Interior

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

ESTATE OF EASTMAN JOHN KIPP : Order Denying Petition for
: Reconsideration
:
: Docket No. IBIA 84-43
:
: October 31, 1985

On August 29, 1985, the Board of Indian Appeals (Board) issued a decision in the Estate of Eastman John Kipp, 13 IBIA 242 (1985). This decision was sent to the parties by certified mail-return receipt requested. The return receipt cards for appellant Ethel Kipp and her attorney, Mary Linda Pearson, show that each of these individuals received the Board's decision on September 3, 1985.

On October 28, 1985, the Board received a petition for reconsideration from appellant. The postmark shows that the petition was mailed on October 25, 1985.

Reconsideration by the Board is governed by 43 CFR 4.315, which states in pertinent part: "The petition must be filed with the Board within 30 days from receipt of the decision * * *." Appellant's petition was not filed within 30 days from the date of receipt, and must be denied.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this petition for reconsideration is denied.

//original signed
Bernard V. Parrette
Chief Administrative Judge

//original signed
Jerry Muskrat
Administrative Judge