



INTERIOR BOARD OF INDIAN APPEALS

Estates of Richard Lip and Riley M. Glenn

15 IBIA 201 (06/01/1987)

Denying reconsideration of:  
15 IBIA 97



# United States Department of the Interior

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

ESTATE OF RICHARD LIP	:	Order Denying Petition for
and	:	Reconsideration
ESTATE OF RILEY M. GLENN	:	
	:	Docket Nos. IBIA 87-16
	:	87-17
	:	
	:	June 1, 1987

On February 3, 1987, the Board of Indian Appeals (Board) issued a decision in the above estates. 15 IBIA 97 (1987). On May 26, 1987, the Board received a letter from appellant Margaret Glenn, apparently seeking reconsideration of the Board's decision.

Reconsideration by the Board is governed by 43 CFR 4.315, which states in pertinent part:

(a) Reconsideration of a decision of the Board will be granted only in extraordinary circumstances. \* \* \* The petition must be filed with the Board within 30 days from receipt of the decision and shall contain a detailed statement of the reasons why reconsideration should be granted.

The present petition must be denied for two reasons. First, the petition is untimely. The Board's original decision was issued on February 3, 1987. Although the probate records in these cases have been returned to the Bureau of Indian Affairs Land Titles and Records Office, and the Board cannot, therefore, consult the certified return receipt card to ascertain the exact date appellant received her copy of the decision, it is inconceivable that she did not receive that copy on or before April 21, 1987.

Second, appellant fails to show extraordinary circumstances warranting reconsideration. Instead, she merely repeats statements made to and considered by the Board in the original petition and decision. At most, appellant has shown her disagreement with the Board's disposition of the cases. Disagreement with legal conclusions does not in itself constitute the kind of extraordinary circumstances contemplated in 43 CFR 4.315.

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.

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//original signed  
Kathryn A. Lynn  
Administrative Judge

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//original signed  
Anita Vogt  
Acting Chief Administrative Judge