



INTERIOR BOARD OF INDIAN APPEALS

Estate of Seymour Senator

23 IBIA 5 (10/16/1992)

Denying reconsideration of:  
22 IBIA 290



# United States Department of the Interior

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

ESTATE OF SEYMOUR SENATOR : Order Denying Petition for  
: Reconsideration  
:  
: Docket No. IBIA 92-197  
:  
: October 16, 1992

On September 14, 1992, the Board affirmed Administrative Law Judge Keith L. Burrowes' order determining heirs and order denying rehearing in this estate. 22 IBIA 290. Appellant Johanna Senator has filed a petition for reconsideration of the Board's decision.

Appellant's petition states in its entirety:

This is a request to your Board for reconsideration of this Docket.

The information is being forwarded to your Board.

However, I realize I need legal assistance to get all the areas of concern expressed in a legal manner.

I.A. Trust Land-located on the Yakima Reservation.

II.B. A non-member shall not inherit trust land of the Yakima Reservation. [1/]

III.C. A legal document does exist.

IV.D. I object to state law and Federal law's.

Reconsideration by the Board is governed by 43 CFR 4.315, which provides:  
"(a) Reconsideration of a decision of the Board will be granted only in extraordinary circumstances. \* \* \* The petition [for reconsideration] shall contain a detailed statement of the reasons why reconsideration should be granted."

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1/ Appellant presumably refers to 25 U.S.C. § 607 (1988), under which the Yakima Tribe has a right to purchase interests in trust land inherited by non-members of the Tribe. Judge Burrowes gave notice of this provision in his order determining heirs.

Appellant clearly disagrees with the Board's decision. The arguments she outlines in her petition for reconsideration, however, are the same arguments she made earlier. The Board has already considered and rejected those arguments.

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

//original signed

Anita Vogt  
Administrative Judge

//original signed

Kathryn A. Lynn  
Chief Administrative Judge