



INTERIOR BOARD OF INDIAN APPEALS

Caddo Indian Tribe of Oklahoma v. Anadarko Area Director, Bureau of Indian Affairs

25 IBIA 248 (03/18/1994)



United States Department of the Interior

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

CADDO TRIBE OF OKLAHOMA,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 92-210-A
ANADARKO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	March 18, 1994

Appellant Caddo Tribe of Oklahoma sought review of a June 18, 1992, decision of the Anadarko Area Director, Bureau of Indian Affairs (BIA), disapproving a bingo management contract between appellant and David E. Schindler, a.k.a. Fortune Bingo. The case has been stayed since January 1993, pending the completion of an investigation by the Department of the Interior's Office of the Inspector General and a determination on whether litigation should be pursued in Federal court.

On February 18, 1994, the Board requested a status report on this matter. On March 18, 1994, it received a combined status report and motion to dismiss from Departmental counsel. The report states that since January 1993, the U.S. Attorney's Office for the Western District of Oklahoma has been engaged in settlement negotiations with attorneys for Fortune Entertainment, Inc., and its principal stockholder, David E. Schindler, concerning a claim against them under 25 U.S.C. § 81 (1988), for operation of the Fortune Bingo hall for a seven-month period without an approved management agreement and that the Office of the Inspector General has reviewed the books and records of Fortune Entertainment, Inc., and Mr. Schindler, and has provided the results of that investigation to the U.S. Attorney.

The report continues:

* * * During these settlement negotiations attorneys for Mr. Schindler have advised the United States that Mr. Schindler and Fortune Entertainment, Inc. have no interest in continuing as manager of gaming operations on behalf of the Wichita, Caddo, and Delaware Tribes. The Fortune Bingo hall has been closed since June of 1992 * * *.

* * * On March 19, 1993 the Caddo Tribe enacted a resolution terminating the employment of * * * its attorney * * *. The BIA has also been advised by the Caddo Tribal officials that the Tribe has no further interest in obtaining approval of the management agreement or in pursuing this appeal.

(Report at unnumbered 2).

Based on this information, the Board finds that this appeal is moot. Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Anadarko Area Director's June 18, 1992, decision is dismissed.

//original signed

Kathryn A. Lynn
Chief Administrative Judge

//original signed

Anita Vogt
Administrative Judge