



INTERIOR BOARD OF INDIAN APPEALS

Philip and Gloria Kozak, d.b.a. Valley Convenience Mart  
v. Aberdeen Area Director, Bureau of Indian Affairs

27 IBIA 189 (02/28/1995)

Denying reconsideration of:  
27 IBIA 159



# United States Department of the Interior

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

PHILIP and GLORIA KOZAK,	:	Order Denying Petition for
d. b. a. VALLEY CONVENIENCE MART,	:	Reconsideration
Appellant	:	
	:	
v.	:	Docket No. IBIA 94-159-A
ABERDEEN AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	February 28, 1995

Appellants Philip and Gloria Kozak, d.b.a. Valley Convenience Mart, wrote the Board of Indian Appeals (Board) concerning a decision issued on February 6, 1995. 27 IBIA 159. The case involves the denial of a direct loan.

Although appellants may not have intended their letter to be a petition for reconsideration, the Board treats it as such a petition. 43 CFR 4.315(a), which governs reconsideration of Board decisions, provides in pertinent part: "Reconsideration of a decision of the Board will be granted only in extraordinary circumstances."

Appellants state their general disagreement with the Board's decision. The Board has previously held that disagreement with a decision does not constitute "extraordinary circumstances" under 43 CFR 4.315(a), so as to warrant reconsideration by the Board. See, e.g., Naranjo v. Albuquerque Area Director, 24 IBIA, 32 (1993), and cases cited therein.

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

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Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge