



INTERIOR BOARD OF INDIAN APPEALS

Patricia H. and Michial Garvin v. Acting Billings Area Director,
Bureau of Indian Affairs

28 IBIA 160 (09/07/1995)



United States Department of the Interior

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

PATRICIA H. GARVIN and MICHIAL GARVIN,	:	Order Docketing and Dismissing
	:	Appeal
Appellants	:	
	:	
v.	:	Docket No. IBIA 95-155-A
	:	
ACTING BILLINGS AREA DIRECTOR, :	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	September 7, 1995

On September 5, 1995, the Board of Indian Appeals received a notice of appeal from Patricia H. Garvin and Michial Garvin, pro sese. Appellants seek review of a May 23, 1995, decision of the Acting Billings Area Director, Bureau of Indian Affairs (Area Director), concerning the award of a lease on the Wind River Reservation to Gary A. Barney.

Appellants state that they received the Area Director's decision on July 19, 1995. Their notice of appeal is postmarked August 30, 1995.

The Area Director's decision correctly informed appellants that their notice of appeal must be mailed within 30 days of the date they received the decision and that no extension could be granted for the filing of a notice of appeal.

Appellants have failed to file a timely notice of appeal. Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is docketed but is dismissed as untimely. The Area Director's May 23, 1995, decision is final for the Department of the Interior.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge