



INTERIOR BOARD OF INDIAN APPEALS

Reynold Allgood, et al. v. Portland Area Director, Bureau of Indian Affairs

29 IBIA 190 (05/14/1996)

Denying reconsideration of:

29 IBIA 153

29 IBIA 180



# United States Department of the Interior

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

REYNOLD ALLGOOD, et al.	:	Order Denying Second Petition
Appellants	:	for Reconsideration
	:	
	:	
v.	:	Docket No. IBIA 96-42-A
	:	
PORTLAND AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	May 14, 1996

On May 2, 1996, the Board denied a petition for reconsideration and request for sanctions filed in this matter by some of the Indian landowners--*i.e.*, Sarah Jabeth; Harrison Jabeth; Victor Parsons; Vicki Jo Parsons Salisbury; Robert Stafford; and Susie Jabeth and her heirs Sheila Taylor, Doneta Higheagle, and Randall Higheagle. 29 IBIA 180.

On May 9, 1996, the Board received another filing from the landowners, possibly intended as a second petition for reconsideration.

Under 43 CFR 4.315(b), "[a] party may file only one petition for reconsideration." Accordingly, the landowners, second petition for reconsideration must be denied.

Even if it were permitted to consider the landowners' second petition, the Board would deny it. The landowners now file a certificate of service showing that they served the parties with copies of their first petition for reconsideration at the time they filed the petition with the Board. The landowners' failure to file a certificate of service was only a minor factor in the Board's denial of their earlier petition. Even if they had filed a timely certificate, the Board would have denied the petition for the other reasons given in the May 2, 1996, order.

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

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Anita Vogt  
Administrative Judge

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge