



INTERIOR BOARD OF INDIAN APPEALS

Estate of Archie Blackowl, Sr.

29 IBIA 237 (07/09/1996)

Denying reconsideration of:
29 IBIA 195



United States Department of the Interior

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

ESTATE OF ARCHIE BLACKOWL, SR. : Order Denying Reconsideration
:
: Docket No. IBIA 95-106
:
: July 9, 1996

The Board issued a decision in this appeal on May 31, 1996. 29 IBIA 195. On July 8, 1996, it received a request from George A. Blackowl for an extension of time in which to file a petition for reconsideration. The request was postmarked July 5, 1996. 1/

43 CFR 4.315 provides that a petition for reconsideration of a Board decision "must be filed with the Board within 30 days of the date of the decision." 43 CFR 4.310(d) provides that "a request to the Board for an extension of time must be filed within the time originally allowed for filing."

Even if the Board has authority to grant extensions of time for filing petitions for reconsideration--a question which it has never decided--no extension could be granted in this case, because the request for extension is untimely.

Further, to the extent Blackowl's request may be deemed a petition for reconsideration, it must also be denied as untimely.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this request for extension of time and/or petition for reconsideration is denied as untimely.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge

1/ The Board received three copies of the request, all postmarked July 5, 1996. It does not appear that copies were served on any of the interested parties, other than Daniel Wade Blackowl.