



INTERIOR BOARD OF INDIAN APPEALS

Kevin H. Loveland v. Portland Area Director, Bureau of Indian Affairs

32 IBIA 18 (01/22/1998)

Related Board cases:

30 IBIA 224

Reconsideration denied, 30 IBIA 269

33 IBIA 303



United States Department of the Interior

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

KEVIN H. LOVELAND,
Appellant

v.

ACTING PORTLAND AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Vacating Decision
: and Remanding Case
:
:
: Docket No. IBIA 98-50-A
:
:
: January 22, 1998

This is an appeal from a December 2, 1997, decision of the Acting Portland Area Director, Bureau of Indian Affairs, cancelling Ft. Hall Lease No. 91-53. The lease was cancelled on the grounds that Appellant had failed to respond to a November 3, 1997, order requiring him to produce proof that he was in compliance with the brucellosis control stipulations of his lease.

On January 20, 1998, the Board received a letter from the Area Director, stating that Appellant had submitted a timely response to the November 3, 1997, order but that the response had been misdirected within the Area Office. The Area Director requests that this case be remanded to him so that he may consider the matter further.

In accordance with the Area Director's request, and pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Area Director's December 2, 1997, decision is vacated, and this matter is remanded to him for further consideration.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge