



INTERIOR BOARD OF INDIAN APPEALS

Estate of Cecil Robert Sees the Ground

37 IBIA 168 (03/18/2002)

Denying reconsideration of:  
37 IBIA 162



## United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
SUITE 300  
ARLINGTON, VA 22203

ESTATE OF CECIL ROBERT  
SEES THE GROUND

: Order Denying Petition for  
: Reconsideration  
:  
: Docket No. IBIA 02-57  
:  
: March 18, 2002

On March 5, 2002, the Board of Indian Appeals (Board) dismissed an appeal in the above estate because it was not timely filed. 37 IBIA 162. On March 13, 2002, it received a document entitled "Statement of Errors of Fact and Law Upon Which the Appeal is Based." In distinction to the notice of appeal, the Statement was signed by counsel, rather than by Appellant Constance Sees the Ground. The Statement was addressed to the Billings Office of the Office of Hearings and Appeals and attempted to explain Appellant's late filing of a petition for rehearing. Because jurisdiction over this estate now lies with the Board and in order to ensure the finality of administrative consideration of this estate, the Board treats the Statement as a petition for reconsideration of its dismissal order.

Appellant's notice of appeal to the Board was dismissed because it was not timely filed. Her Statement does not change the untimeliness of her notice of appeal.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. §§ 4.1 and 4.315, this petition for reconsideration is denied.

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//original signed

Kathryn A. Lynn  
Chief Administrative Judge

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//original signed

Anita Vogt  
Administrative Judge