



INTERIOR BOARD OF INDIAN APPEALS

Wilson Dahozy, Sr. v. Natural Resource Manager, Fort Defiance Agency,
Bureau of Indian Affairs

38 IBIA 203 (11/06/2002)



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

<p>WILSON DAHOZY, SR., Appellant</p> <p>v.</p> <p>NATURAL RESOURCE MANAGER, FORT DEFIANCE AGENCY, BUREAU OF INDIAN AFFAIRS, Appellee</p>	<p>: Order Docketing and Dismissing Appeal</p> <p>:</p> <p>:</p> <p>:</p> <p>: Docket No. IBIA 03-19-A</p> <p>:</p> <p>:</p> <p>:</p> <p>: November 6, 2002</p>
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The Board of Indian Appeals (Board) has received a copy of a notice of appeal from Wilson Dahozy, Sr. (Appellant). Appellant seeks review of an October 3, 2002, decision issued by the Natural Resource Manager, Fort Defiance Agency, Bureau of Indian Affairs (BIA). The notice of appeal is addressed to the Natural Resource Manager. In order to prevent any confusion as to the proper forum for this appeal, the Board treats the filing as a notice of appeal to it. For the reason discussed below, the Board docketed this appeal, but dismisses it as premature.

The decision letter provides the following appeal information:

This administrative decision may be appealed within 30 days after receiving the decision letter pursuant to 25 CFR 2.7(c), Notice of Administrative Decision or Action. Pursuant to 25 CFR 2.9(a), Notice of an Appeal, a written appeal letter must be filed in our office here with a copy sent to:

Interior Board of Indian Appeals
[address]

Additional copy should be sent to the BIA Navajo Regional Director:

[address]

This appeal information is confusing because it suggests that the appeal is to the Board. Under 25 C.F.R. § 2.4(a), a decision made by a BIA official subordinate to a Regional Director must first be appealed to the appropriate Regional Director. Subsection 2.4(e) then authorizes the Board to review decisions issued by BIA Regional Directors. There is no requirement that a notice of appeal to a Regional Director be filed with the Board.

