



INTERIOR BOARD OF INDIAN APPEALS

Sears Point Raceway; Sonoma County, California;  
Federated Indians of Graton Rancheria; and State of California  
v. Pacific Regional Director, Bureau of Indian Affairs

39 IBIA 105 (08/26/2003)



# 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

SEARS POINT RACEWAY, Appellant	:	Order Dismissing Appeals
	:	
	:	
SONOMA COUNTY, CALIFORNIA, Appellant	:	
	:	
	:	
FEDERATED INDIANS OF GRATON RANCHERIA, Appellant	:	Docket Nos. IBIA 01-54-A
	:	IBIA 01-58-A
	:	IBIA 01-60-A
STATE OF CALIFORNIA, Appellant	:	IBIA 01-63-A
	:	
	:	
v.	:	
	:	
	:	
PACIFIC REGIONAL DIRECTOR, BUREAU OF INDIAN AFFAIRS, Appellee	:	August 26, 2003

Appellants Sears Point Raceway; Sonoma County, California; Federated Indians of Graton Rancheria; and State of California sought review of a December 22, 2000, decision issued by the Pacific Regional Director, Bureau of Indian Affairs, concerning the proposed trust acquisition of approximately 321 acres in Sonoma County, California, for the Hopland Band of Pomo Indians. These appeals have been stayed since December 17, 2001, while the parties pursued settlement negotiations.

On June 9, 2003, the Board of Indian Appeals (Board) received a status report from Appellants Sears Point Raceway and Sonoma County, California. These Appellants indicated their belief that the land at issue here had been acquired from the Hopland Band by Appellant Federated Indians of Graton Rancheria. After receiving no other status reports, on July 7, 2003, the Board asked the parties to inform it if this information was in fact correct and, if so, whether they believed that this change of ownership rendered these appeals moot.

The Board received several responses which showed that the parties had different ideas as to the actual present ownership of the property, but that they agreed that the appeals should

be dismissed if the Hopland Band no longer had an interest in the property. On August 22, 2003, the Board received a response from the Hopland Band, which stated that it “no longer has an interest in the subject property. Therefore, the Board can dismiss these appeals on the grounds that they are moot.” Aug. 19, 2003, Response at 2.

Based on the Hopland Band’s statement that it no longer has an interest in the property which was the subject of this dispute, the Board finds that these appeals are moot.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, these appeals are dismissed as moot.

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Kathleen R. Supernaw  
Acting Administrative Judge