



INTERIOR BOARD OF INDIAN APPEALS

Cecil G. Hawkins v. Rocky Mountain Regional Director, Bureau of Indian Affairs

40 IBIA 56 (07/14/2004)



# 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

CECIL G. HAWKINS,  
Appellant,

v.

ROCKY MOUNTAIN REGIONAL  
DIRECTOR, BUREAU OF INDIAN  
AFFAIRS,  
Appellee.

: Order Dismissing Appeal  
:  
:  
:  
: Docket No. IBIA 04-102-A  
:  
:  
:  
: July 14, 2004

Appellant Cecil G. Hawkins, pro se, a member of the Crow Tribe and owner of allotted trust lands on the Crow Reservation, sought review of the alleged inaction of the Bureau of Indian Affairs (BIA) concerning problems he contends he has had, over a period of years, with the Leachman Cattle Company on his trust lands. The appeal was filed pursuant to 25 C.F.R. § 2.8, which allows an appeal from inaction of a BIA official after an appellant has requested action in compliance with the requirements of that section. For the reasons discussed below, the Board of Indian Appeals (Board) dismisses this appeal.

Upon receipt of Appellant's notice of appeal, the Board noted several deficiencies in it. Specifically, the notice of appeal did not indicate that Appellant had complied with the procedural requirements of 25 C.F.R. § 2.8(a) before he filed this appeal, nor did it indicate that Appellant had served his notice of appeal on the necessary officials and interested parties, as required by 43 C.F.R. §§ 4.310(b) and 4.333. On May 20, 2004, the Board ordered Appellant to demonstrate, on or before June 18, 2004, that he had complied with these requirements. The Board's order stated that failure to show compliance would result in dismissal of the appeal. The Board has received no response from Appellant.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses this appeal for failure to show compliance with 25 C.F.R. § 2.8 and failure to serve interested parties.

\_\_\_\_\_  
// original signed  
Steven K. Linscheid  
Chief Administrative Judge

\_\_\_\_\_  
// original signed  
Colette J. Winston  
Administrative Judge