



INTERIOR BOARD OF INDIAN APPEALS

Arkansas Riverbed Authority v. Eastern Oklahoma Regional Director,
Bureau of Indian Affairs

40 IBIA 122 (09/29/2004)



United States Department of the Interior

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

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|------------------------------|---|--------------------------|
| ARKANSAS RIVERBED AUTHORITY, | : | Order Dismissing Appeal |
| Appellant, | : | |
| | : | |
| v. | : | |
| | : | Docket No. IBIA 03-122-A |
| EASTERN OKLAHOMA REGIONAL | : | |
| DIRECTOR, BUREAU OF INDIAN | : | |
| AFFAIRS, | : | |
| Appellee. | : | September 29, 2004 |

Appellant Arkansas Riverbed Authority sought review under 25 C.F.R. § 2.8 (appeal from inaction of an official), based on the failure of the Eastern Oklahoma Regional Director, BIA (Regional Director), to respond to a request concerning a demand for the release of escrowed funds from certain Arkansas riverbed gas wells in Oklahoma to the Chickasaw Nation, the Choctaw Nation, and the Cherokee Nation, Oklahoma. At the request of the parties, this appeal was stayed on December 5, 2003, in order to allow the parties to resolve the controversy.

On September 27, 2004, Appellant filed an unopposed Motion to Dismiss with the Board of Indian Appeals (Board). Appellant requested that the Board dismiss this appeal without prejudice. A Status Report received on the same date from the Regional Director informed the Board that Appellant would be filing a dismissal without prejudice. After consideration of the Motion to Dismiss, the Board grants the motion.

Therefore, pursuant to the authority delegated to the Board by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is dismissed without prejudice.

// original signed
Colette J. Winston
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge