



INTERIOR BOARD OF INDIAN APPEALS

Turtle Mountain Band of Chippewa Indians v. Deputy Bureau Director, Tribal Services,
Bureau of Indian Affairs

40 IBIA 125 (10/13/2004)



United States Department of the Interior

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

TURTLE MOUNTAIN BAND	:	Order Dismissing Appeal
OF CHIPPEWA INDIANS,	:	
Appellant,	:	
	:	
v.	:	
	:	Docket No. IBIA 04-129-A
DEPUTY BUREAU DIRECTOR,	:	
TRIBAL SERVICES, BUREAU OF	:	
INDIAN AFFAIRS,	:	
Appellee.	:	October 13, 2004

The Turtle Mountain Band of Chippewa Indians (Tribe) appealed a June 22, 2004, decision of the Deputy Bureau Director, Tribal Services, Bureau of Indian Affairs (Deputy Bureau Director), declining a request for a guaranty of a loan of \$5,108,335 to the Tribe.

In a July 27, 2004, pre-docketing notice and order concerning service, the Board of Indian Appeals (Board) ordered the Tribe to serve a copy of its notice of appeal on the Deputy Bureau Director by August 13, 2004, and to file a statement with the Board that it had done so. On August 31, 2004, after receipt of the administrative record from the Deputy Bureau Director, but having received no response from the Tribe, the Board again ordered the Tribe to serve its notice of appeal on the Deputy Bureau Director, on or before September 17, 2004, and to inform the Board by that date that it had done so. The Board advised the Tribe that failure to comply with the order would result in dismissal of this appeal for failure to comply with service requirements and failure to prosecute.

The Board has received no response from the Tribe.

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 comply with service requirements and failure to prosecute.

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Colette J. Winston
Administrative Judge