



INTERIOR BOARD OF INDIAN APPEALS

Estate of Yvette Merle DuBray a.k.a. Yvette Merle Bateman

41 IBIA 170 (08/08/2005)



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

ESTATE OF YVETTE MERLE DUBRAY : Order Dismissing Appeal
a/k/a YVETTE MERLE BATEMAN :
:
: Docket No. IBIA 05-39
:
:
: August 8, 2005

Eugene Merle Du Bray (Appellant), pro se, appealed from a January 18, 2005, Order Denying Rehearing, issued by Indian Probate Judge George D. Tah-Bone, in the estate of Yvette Merle DuBray a/k/a Yvette Merle Bateman, deceased Three Affiliated Tribes Indian, Enrollment No. 301-U003845 (Probate No. GP-301-0127).

Appellant's notice of appeal did not indicate that he had served copies on all interested parties, as required by 43 C.F.R. § 4.320(c). On May 17, 2005, the Board ordered Appellant, on or before June 24, 2005, to comply with those service requirements and to file a statement with the Board that he had done so. The Board advised Appellant that failure to comply with the May 17, 2005, order could result in summary dismissal of this appeal without further notice.

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 prosecute.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Katherine J. Barton
Acting Administrative Judge