



## INTERIOR BOARD OF INDIAN APPEALS

Calvin R. and Myrna First v. Rocky Mountain Regional Director, Bureau of Indian Affairs

42 IBIA 188 (01/31/2006)

Dismissing petition for reconsideration of:

42 IBIA 76

Second petition for reconsideration dismissed:

50 IBIA 278



# 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

CALVIN R. and MYRNA FIRST,  
Appellants,

v.

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

: Order Dismissing Request  
: for Reconsideration  
:  
:  
: Docket No. IBIA 04-40-A  
:  
:  
:  
: January 31, 2006

The Board issued a decision on this appeal on December 6, 2005, 42 IBIA 76. On January 30, 2006, the Board received from Appellants a filing evidently intended as a petition for reconsideration.

43 C.F.R. § 4.315 provides that a “petition [for reconsideration of a Board decision] must be filed with the Board within 30 days from the date of the decision.”

Appellant’s petition is postmarked January 27, 2006, more than 30 days after the date of the Board’s decision.

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 Appellants’ request for reconsideration as untimely.

I concur:

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// original signed  
Katherine J. Barton  
Acting Administrative Judge

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