



INTERIOR BOARD OF INDIAN APPEALS

Daisy LeCompte v. Great Plains Regional Director,
Bureau of Indian Affairs

45 IBIA 24 (05/10/2007)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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DAISY LECOMPTE,)	Order Dismissing Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 07-21-A
GREAT PLAINS REGIONAL)	
DIRECTOR, BUREAU OF)	
INDIAN AFFAIRS,)	
Appellee.)	May 10, 2007

On September 22, 2006, the Board of Indian Appeals (Board) received an unsigned notice of appeal in an envelope with a return address for Daisy LeCompte (Appellant), *pro se*, which the Board construed as an appeal by Appellant from the decision dated August 3, 2006, by the Great Plains Regional Director, Bureau of Indian Affairs (Regional Director), adjusting the grazing rental rate to \$13.63 an Animal Unit Month for individually-owned Indian lands on the Standing Rock Reservation for the 2007 grazing season.¹

By order dated September 27, 2006, the Board ordered Appellant, on or before October 10, 2006, to submit a signed copy of her notice of appeal to the Board, and also to certify to the Board the date on which she received the Regional Director's decision, to allow the Board to determine whether her appeal is timely. In the alternative, the Board noted that if Appellant did not wish to pursue her own appeal, but instead wished to rely on a separate appeal that had been filed by SRGA from the same decision, she could withdraw

¹ The notice of appeal did not identify the date of the decision nor the Reservation, but based on Appellant's return address and her membership in the Standing Rock Grazing Association (SRGA), as evidenced in a separate appeal that had been filed by SRGA, *see infra* note 2, the Board understood the Regional Director's Standing Rock grazing rate decision to be the subject of this appeal.

her appeal without prejudice to her rights as a member to participate through SRGA.² The Board advised Appellant that failure to respond to the Board's order could result in summary dismissal of her 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
Debora G. Luther
Administrative Judge

² SRGA's appeal is currently pending before the Board in *Gene L. Cadotte and Standing Rock Grazing Association and Its Members v. Great Plains Regional Director*, Docket Nos. IBIA 06-112-A and 07-17-A (consolidated). In an October 17, 2006, notice of docketing for the appeals filed by Cadotte, SRGA, and Appellant, the Board noted that Appellant's appeal was still subject to summary dismissal if it was determined that she had failed to comply with the Board's September 27, 2006, order.