



INTERIOR BOARD OF INDIAN APPEALS

Estate of Charles Sampson, Jr.

46 IBIA 2 (10/04/2007)



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 CHARLES SAMPSON,) Order Dismissing Appeal
JR.)
) Docket No. IBIA 07-123
)
) October 4, 2007

Appellant Yakama Nation Credit Enterprise (YNCE) appealed to the Board of Indian Appeals (Board) from an Order Denying Petition for Rehearing entered on June 13, 2007, by Administrative Law Judge Steven R. Lynch (ALJ) in the estate of Charles Sampson, Jr. (Decedent), deceased Yakama Indian, Probate No. NW-124-0800. The order let stand a November 9, 2006, Order to Show Cause and Order Determining Heirs issued by the ALJ, which had denied a claim that YNCE filed against Decedent's estate.

In its notice of appeal, YNCE also requested that the Board remand the matter back to the ALJ for approval of a Compromise Settlement Agreement entered into between YNCE and Decedent's sole heir, Rickey Sampson, pursuant to 43 C.F.R. § 4.207, to settle YNCE's claim. The Settlement Agreement had been submitted to the ALJ, who informed the parties that he no longer had jurisdiction over the matter. On August 16, 2007, the Board issued an order granting the ALJ jurisdiction to issue a decision whether to approve the Settlement Agreement. On August 22, 2007, the ALJ forwarded the Board an Order Approving Compromise Settlement Agreement.

Counsel for YNCE has orally advised the Board's staff attorney that YNCE agrees to the dismissal of this appeal, based on the approved Settlement Agreement.

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 as moot based on the ALJ's approval of the Settlement Agreement.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge