



INTERIOR BOARD OF INDIAN APPEALS

Estate of Melvin Warren Byrd, a.k.a. Melvin Warren Clark

51 IBIA 6 (12/11/2009)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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|----------------------------|---|-------------------------|
| ESTATE OF MELVIN WARREN |) | Order Dismissing Appeal |
| BYRD, a.k.a. MELVIN WARREN |) | |
| CLARK |) | Docket No. IBIA 09-095 |
| |) | |
| |) | December 11, 2009 |

The Gila River Indian Community (Community) appealed to the Board of Indian Appeals (Board) from an Order Dismissing Petition for Rehearing entered on May 26, 2009, by Indian Probate Judge Melanie Daniel (IPJ) in the estate of Melvin Warren Byrd, a.k.a. Melvin Warren Clark (Decedent), deceased Pima Maricopa (Gila River) Indian, Probate No. P000064541IP. The IPJ determined the Community's conditional offer to purchase Decedent's interests in certain allotments to be untimely. *See* 25 U.S.C. § 2206(o).

On December 4, 2009, the Board received from the Community a motion to dismiss its appeal with prejudice.

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.

I concur:

// original signed
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge