



INTERIOR BOARD OF INDIAN APPEALS

Amidooli J. Pacheco v. Governor, Santo Domingo Pueblo

51 IBIA 34 (12/29/2009)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ARLINGTON, VA 22203

AMIDOOOLI J. PACHECO,)	Order Docketing and
Appellant,)	Dismissing Appeal
)	
v.)	
)	Docket No. IBIA 10-033
GOVERNOR, SANTO DOMINGO)	
PUEBLO,)	
Appellee.)	December 29, 2009

On December 14, 2009, the Board of Indian Appeals received a “Request for Right to Appeal and Violation of Rights” from Amidooli J. Pacheco (Appellant), in which Appellant contends that he has been sentenced to a correctional center by the Governor of the Santo Domingo Pueblo, in violation of Appellant’s civil rights and liberties. Appellant seeks to appeal the Governor’s decision.

We docket this appeal but dismiss it because the Board is not a court of general jurisdiction and does not have jurisdiction over actions of tribal officials. See *In re Ute Tribal Water Compact*, 50 IBIA 250 (2009), and cases cited therein. Thus, whether Appellant is seeking directly to appeal a tribal conviction or sentence, or seeking a writ of habeas corpus, the Board lacks jurisdiction. See *Tissidimit v. Shoshone-Bannock Tribes*, 32 IBIA 15 (1998). Only a tribal court (or other tribal forum) or a Federal court has authority to grant Appellant the relief he seeks. *Id.*

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 docketed this appeal but dismisses it for lack of jurisdiction.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge