



INTERIOR BOARD OF INDIAN APPEALS

Estate of Susan Jane Gould, a.k.a. Susan Jane Abrahamson

51 IBIA 54 (12/31/2009)

Reconsideration denied:

51 IBIA 150



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 SUSAN JANE GOULD,) Order Docketing and Dismissing Appeal
a.k.a. SUSAN JANE ABRAHAMSON)
) Docket No. IBIA 09-141
)
)
) December 31, 2009

Gary J. Gould (Appellant) appealed to the Board of Indian Appeals (Board) from an Order Denying Petition for Rehearing entered on August 26, 2009, by Administrative Law Judge Thomas F. Gordon (ALJ) in the estate of Appellant’s mother, Susan Jane Gould, a.k.a. Susan Jane Abrahamson (Decedent), deceased Spokane Indian, Probate No. P000044712IP. The Order Denying Rehearing let stand a July 8, 2009, Order Determining Heirs in Decedent’s estate. The Board docketed this appeal, but dismisses it for failure to prosecute.

Appellant filed his notice of appeal without certifying or otherwise indicating that he had served a copy of his notice of appeal on all interested parties, as required by 43 C.F.R. § 4.310(b). On October 15, 2009, the Board ordered Appellant to complete these service requirements on or before October 30, 2009, and by that same date to file a statement with the Board that he had done so. The Board advised Appellant that if he did not comply with the order, his “appeal may be dismissed without further notice.” Pre-Docketing Notice and Order Concerning Service, Oct. 15, 2009, at 2 (emphasis omitted). To correct a potentially misleading citation in the Board’s original order, the Board *sua sponte* extended the time to December 11, 2009, for Appellant to comply with the Board’s October 15 order. *See* Second Order Concerning Service, Nov. 25, 2009, at 1.

The Board has received no response from Appellant to either of the Board’s orders.

Therefore, pursuant to the authority delegated to the Board by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed this appeal but dismisses it for failure to prosecute.

I concur:

// original signed
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge