



INTERIOR BOARD OF INDIAN APPEALS

Estate of Frances Marie Ortega

51 IBIA 80 (01/13/2010)

Dismissing Second Petition for Reconsideration of:
50 IBIA 322



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ESTATE OF FRANCES MARIE)
ORTEGA) Order Dismissing Second Petition for
) Reconsideration
)
) Docket No. IBIA 09-086-2
)
) January 13, 2010

This appeal from Wilford Ward (Appellant) was decided by the Board of Indian Appeals (Board) on November 16, 2009. 50 IBIA 322 (Order Vacating Recommended Decision and Referring Inventory Dispute to Bureau of Indian Affairs). On December 16, 2009, the Board denied a petition for reconsideration filed by Appellant. 51 IBIA 29.

On January 11, 2010, the Board received a second petition for reconsideration from Appellant, asking us to reverse our prior decisions. The Board's regulations state that "[a] party may file only one petition for reconsideration," 43 C.F.R. § 4.315(b), and thus do not authorize Appellant to file a second petition.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, Appellant's second petition for reconsideration is dismissed.¹

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge

¹ Appellant makes a variety of requests in his petition, in addition to seeking to have the Board set aside its decision. The Board's authority, however, is limited to reviewing appeals. Appellant is advised that his latest petition will be added to the appeal record, which will be returned to the Bureau of Indian Affairs, but otherwise the Board will not take any action on the various requests in his petition. Appellant is also advised that the Board will not respond to any further petitions from him to reconsider our disposition of this case.