



INTERIOR BOARD OF INDIAN APPEALS

Estate of Wilma Lee Anquoe

54 IBIA 285 (03/21/2012)



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 WILMA LEE ANQUOE) Order Docketing and Dismissing
) Appeal
)
) Docket No. IBIA 12-056
)
) March 21, 2012

Stephanie Sosna and Tama Morgan (Appellants) appealed to the Board of Indian Appeals (Board) from an Order of Modification Upon Petition for Rehearing (Modification Order) entered on December 16, 2011, by Administrative Law Judge (ALJ) Richard L. Reeh in the estate of Appellants' biological grandmother, Wilma Lee Wishkeno Anquoe (Decedent), deceased Prairie Band Potawatomi Indian, Probate No. P000088146IP.¹

On January 23, 2012, the Board ordered Appellants to complete service of their appeal on the interested parties in this matter, as required by 43 C.F.R. §§ 4.310(b) and 4.323, and to notify the Board that they had done so. The Board set a deadline of February 13, 2012, for Appellants to comply with the Board's order, and advised Appellants that if they failed to comply with or respond to the Board's order, their appeal might be dismissed without further notice.

The U.S. Postal Service's Track-and-Confirm service on its website indicates that each Appellant received the Board's order on January 26, 2012.

The Board has received no response from Appellants.

¹ Appellants were adopted out. The Modification Order concluded, after reciting that no responses had been received to a Notice of Petition for Rehearing and Order to Show Cause, that Appellants' adoptions precluded them from being Decedent's heirs under the American Indian Probate Reform Act. *See* 25 U.S.C. § 2206(j)(2)(B)(iii)(I) (adoption severs parent-child/parent-issue relationship, except in certain circumstances). The ALJ modified accordingly his September 26, 2011, Order Determining Heirs and Decree of Distribution.

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 but dismisses this appeal for failure to prosecute.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge