



## INTERIOR BOARD OF INDIAN APPEALS

Village of Hobart, Wisconsin v. Acting Midwest Regional Director,  
Bureau of Indian Affairs

55 IBIA 244 (08/29/2012)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
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VILLAGE OF HOBART, WISCONSIN,	)	Order Vacating Decision and
Appellant,	)	Remanding
	)	
v.	)	
	)	
ACTING MIDWEST REGIONAL	)	Docket No. IBIA 12-110
DIRECTOR, BUREAU OF INDIAN	)	
AFFAIRS,	)	
Appellee.	)	August 29, 2012

The Village of Hobart, Wisconsin (Village), appealed to the Board of Indian Appeals (Board) from a decision dated April 23, 2012 (April 23 Decision), by the Acting Midwest Regional Director (Regional Director), Bureau of Indian Affairs, in which the Regional Director agreed to take property—identified by tax parcel numbers HB-1480 (formerly known as the American General Finance property) and HB-1371-7 (formerly known as the Gray property)—located in the Village of Hobart, Brown County, Wisconsin, into trust for the Oneida Tribe of Indians of Wisconsin.

On August 23, 2012, the Board received a Motion for Remand from the Regional Director, in which she requests that the Board vacate her April 23 Decision and remand this matter to her for further consideration. On August 27, 2012, the Board received a statement from the Village in which the Village acknowledges, but takes no position on, the Regional Director's motion except to request that the April 23 Decision be vacated.

The Regional Director's motion is granted and we hereby vacate the Regional Director's April 23 Decision to take the American General Finance property and the Gray property into trust.

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 Regional Director's April 23, 2012, decision

is vacated, this matter is remanded to her for further consideration, and the Village's appeal is dismissed.<sup>1</sup>

I concur:

\_\_\_\_\_  
// original signed  
Debora G. Luther  
Administrative Judge

\_\_\_\_\_  
//original signed  
Steven K. Linscheid  
Chief Administrative Judge

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<sup>1</sup> This remand affects only the decision to accept the two properties, identified above, into trust. The Village's appeals of other fee-to-trust land acquisition decisions by the Regional Director remain pending before the Board. *See, e.g., Village of Hobart v. Midwest Regional Director*, Docket Nos. IBIA 11-045, 11-002, 10-131, 10-107, 10-092, and 10-091.