



INTERIOR BOARD OF INDIAN APPEALS

Estate of Gregory Mario Marruffo

55 IBIA 309 (09/24/2012)

Related Board case:
53 IBIA 267



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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ESTATE OF GREGORY MARIO)	Order Vacating Decision and
MARRUFFO)	Remanding
)	
)	Docket No. IBIA 12-124
)	
)	September 24, 2012

Beatriz Alvarado Marruffo (Appellant) appealed to the Board of Indian Appeals (Board) from a Modification to Reduce Shares (Modification Order) entered on June 14, 2012, by Indian Probate Judge Michael J. Stancampiano in the estate of Appellant's son, Gregory Mario Marruffo (a.k.a. Gregorio Mario Marruffo) (Decedent), deceased Luiseno Mission Indian, Probate No. P000046748IP. The Modification Order granted a petition from the Bureau of Indian Affairs (BIA) to modify the probate estate inventory that was attached to the September 16, 2008, Decision probating Decedent's estate.

On September 19, 2012, the Board received a motion from the Probate Hearings Division, through Administrative Law Judge (ALJ) Earl J. Waits, to remand the matter. The ALJ requests a remand to allow further development of the record and to consider Appellant's objections to BIA's petition, *see Estate of Marruffo*, 53 IBIA 267 (2011) (dismissing appeal as premature), which were not considered in the Modification Order.

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 vacates the Modification Order and remands the matter to the Probate Hearings Division for further proceedings.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Debora G. Luther
Administrative Judge