



INTERIOR BOARD OF INDIAN APPEALS

Cemex Construction Materials South, LLC v. Acting Western Regional Director, Bureau of  
Indian Affairs

56 IBIA 36 (11/19/2012)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
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ARLINGTON, VA 22203

CEMEX CONSTRUCTION	)	Order Dismissing Appeal
MATERIALS SOUTH, LLC,	)	
Appellant,	)	
	)	
v.	)	
	)	Docket No. IBIA 09-19-A
ACTING WESTERN REGIONAL	)	
DIRECTOR, BUREAU OF INDIAN	)	
AFFAIRS,	)	
Appellee.	)	November 19, 2012

CEMEX Construction Materials South, LLC (Appellant), appealed to the Board of Indian Appeals (Board) from an October 10, 2008, decision of the Acting Western Regional Director, Bureau of Indian Affairs (BIA), in which Sand and Gravel Mining Lease No. 18, located on trust lands belonging to the Salt River Pima-Maricopa Indian Community (Tribe), was determined to have expired by its own terms.

On November 15, 2012, the Board received a Joint Stipulation of Dismissal with Prejudice executed by Appellant, BIA, and the Tribe. The parties represent that they have reached a settlement agreement that fully resolves the issues in this appeal and request that this appeal be dismissed with prejudice with each party bearing its own fees and costs. The Board extends its appreciation to the parties for their successful efforts in resolving this dispute.

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 dismisses this appeal with prejudice.

I concur:

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

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