



INTERIOR BOARD OF INDIAN APPEALS

Estate of Dorothy Hazel Burd Fletcher

57 IBIA 212 (07/12/2013)



# 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 DOROTHY HAZEL ) Order Dismissing Appeal  
BURD FLETCHER )  
) Docket No. IBIA 12-059  
)  
)  
) July 12, 2013

Bonnie Kay Burd Sigler, Debra Jo Savey, and the Estate of Patricia Ann Beverage Hernandez (Appellants), appealed to the Board of Indian Appeals (Board) from an Order Denying Rehearing (Rehearing Order) entered on December 22, 2011, by Indian Probate Judge (IPJ) Albert C. Jones in the estate of Dorothy Hazel Burd Fletcher (Decedent).<sup>1</sup> The Rehearing Order left in place the IPJ’s November 12, 2009, Decision probating Decedent’s trust estate.<sup>2</sup>

On January 14, 2013, Appellants, the Estate of Harry Lee Fletcher, and Sarah Fletcher notified the Board that they had reached a full settlement of their outstanding differences. Accordingly, the Board stayed the appeal proceedings and remanded the appeal in part to the Probate Hearings Division for assignment to a probate judge to evaluate, pursuant to 43 C.F.R. § 30.150, the parties’ settlement. The Board authorized the probate judge to enter an appropriate probate order, and advised the parties that if the settlement was approved, the Board would dismiss the appeal as moot.

On June 3, 2013, the Board received an order from the IPJ in which he evaluated the parties’ settlement, approved the settlement, and modified the Decision in accordance with the settlement. Subsequently, on June 7, 2013, the Board provided the parties with an opportunity to object to the dismissal of this appeal. The Board has received no response

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<sup>1</sup> Decedent, who died on February 16, 2006, was a Blackfeet Indian. Her probate was assigned No. P000065516IP in the Department of the Interior’s probate tracking system, ProTrac.

<sup>2</sup> The Decision found that Decedent had died intestate (i.e., without a will), and ordered the distribution of her trust real property interests, and a portion of her trust personalty, to her non-Indian husband, Harry Lee Fletcher, who died after Decedent. Sigler, Savey, and Hernandez (Decedent’s daughters) contended, among other things, that they were denied an opportunity to prove that Decedent had left a will.

from the parties. Thus, we find that Appellants' appeal should be dismissed as moot. The Board appreciates the parties' efforts to successfully resolve the 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 as moot.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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//original signed  
Debora G. Luther  
Administrative Judge