



INTERIOR BOARD OF INDIAN APPEALS

William R. Miller and Reid Miller v. Acting Eastern Regional Director,
Bureau of Indian Affairs

59 IBIA 71 (08/04/2014)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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WILLIAM R. MILLER AND REID)	Order Docketing Appeal, Vacating
MILLER,)	Decision, and Remanding
Appellants,)	
)	
v.)	
)	Docket No. IBIA 14-117
ACTING EASTERN REGIONAL)	
DIRECTOR, BUREAU OF INDIAN)	
AFFAIRS,)	
Appellee.)	August 4, 2014

On July 10, 2014, the Board of Indian Appeals (Board) received a notice of appeal from William R. Miller and Reid Miller (Appellants), from a June 3, 2014, decision (Decision) of the Acting Eastern Regional Director (Regional Director), Bureau of Indian Affairs (BIA), upholding a decision of BIA’s Cherokee Agency Superintendent to charge Appellants with timber trespass and assess damages, but modifying the damages. On July 31, 2014, the Board received a letter from the Regional Director requesting a remand because the Decision contains several errors and “does not accurately address the issues of concern.”

Under the circumstances, and in light of the Regional Director’s acknowledgment of error, the Board summarily vacates the Decision and remands the matter.

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 Decision and remands the matter to the Regional Director for further proceedings and issuance of a new decision.

I concur:

// original signed
Thomas A. Blaser
Administrative Judge

//original signed
Steven K. Linscheid
Chief Administrative Judge