



INTERIOR BOARD OF INDIAN APPEALS

Darren Rose v. Pacific Regional Director, Bureau of Indian Affairs

59 IBIA 257 (11/19/2014)

Related Board case:
62 IBIA 330



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

DARREN ROSE,)	Order Docketing Appeal, Granting
Appellant,)	Jurisdiction to the Bureau of Indian
)	Affairs, Vacating Decision, and
v.)	Dismissing Appeal
)	
PACIFIC REGIONAL DIRECTOR,)	Docket No. IBIA 15-032
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	November 19, 2014

On November 10, 2014, the Board of Indian Appeals (Board) received a notice of appeal from Darren Rose (Appellant), through James Qaquandah, Esq., of Fredericks Peebles & Morgan LLP. Appellant seeks review of an October 7, 2014, decision (Decision) of the Pacific Regional Director (Regional Director), Bureau of Indian Affairs (BIA), in which the Regional Director returned to Appellant, without consideration, an amended proposed business lease for the Benter Allotment (Allotment). The Regional Director concluded that she lacked jurisdiction to consider Appellant’s proposed lease because another appeal is pending before the Board from a decision in which BIA issued a cease and desist notice to Appellant for, among other things, operating a business on the Allotment without obtaining a permit or lease. *See Darren Rose v. Acting Pacific Regional Director*, Docket No. IBIA 14-114.

Without deciding whether the pending appeal in Docket No. IBIA 14-114 involves the same matter, for purposes of divesting BIA of jurisdiction to consider Appellant’s proposed business lease, the Board grants BIA jurisdiction to consider the proposed lease for approval or disapproval, vacates the Decision, and dismisses the appeal.

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 docket the appeal, grants BIA jurisdiction, vacates the Decision, and dismisses the appeal.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Thomas A. Blaser
Administrative Judge