



INTERIOR BOARD OF INDIAN APPEALS

Estate of David Larue Canning

60 IBIA 101 (03/13/2015)



# 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 DAVID LARUE ) Order Dismissing Appeal  
CANNING )  
)  
) Docket No. IBIA 15-016  
)  
)  
) March 13, 2015

William Francis and Jane Ann Canning (Appellants) appealed to the Board of Indian Appeals (Board) from an Order Denying Reopening entered on October 10, 2014, by Administrative Law Judge (ALJ) Earl J. Waits in the estate of Appellants' son, David Larue Canning, a.k.a. Orlando Joel Norte (Decedent), deceased Morongo Indian, Probate No. P000042706IP. The ALJ denied a request by the Superintendent of the Southern California Agency, Bureau of Indian Affairs, to reopen Decedent's estate to approve renunciations executed by Appellants. The ALJ concluded that the renunciations were untimely under 43 C.F.R. § 30.181, which provides that a renunciation must be filed before the issuance of the final order in a probate case.<sup>1</sup>

On March 11, 2015, the Board received from Appellants a letter withdrawing their 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 dismisses the appeal.

I concur:

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

\_\_\_\_\_  
//original signed  
Thomas A. Blaser  
Administrative Judge

<sup>1</sup> The decision for Decedent's probate case was issued on May 7, 2009. Appellants executed their renunciations on April 4, 2014. Appellants sought to renounce interests they inherited from Decedent in several Morongo allotments.