



## INTERIOR BOARD OF INDIAN APPEALS

Chris H. Batiste v. Acting Pacific Regional Director, Bureau of Indian Affairs

61 IBIA 251 (09/15/2015)



# 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

CHRIS H. BATISTE,	)	Order Docketing and Dismissing
Appellant,	)	Appeal
	)	
v.	)	
	)	Docket No. IBIA 15-096
ACTING PACIFIC REGIONAL	)	
DIRECTOR, BUREAU OF INDIAN	)	
AFFAIRS,	)	
Appellee.	)	September 15, 2015

Chris H. Batiste (Appellant) appealed to the Board of Indian Appeals (Board) from a May 19, 2015, decision of the Acting Pacific Regional Director (Regional Director), Bureau of Indian Affairs, denying Appellant’s request to have her fee interest in a 40-acre Public Domain Allotment, No. 50E SU1006, located in Plumas County, California, accepted into trust.

Because it appeared that Appellant’s appeal may have been untimely, the Board ordered Appellant to show cause (i.e., explain) why her appeal should not be dismissed, and to provide evidence to the Board establishing the date on which she received the Regional Director’s decision.<sup>1</sup> The Board set a deadline of August 14, 2015, to comply with the Board’s order, and advised Appellant that if she failed to comply with or respond to the Board’s order, her appeal might be dismissed without further notice.

The U.S. Postal Service’s Track-and-Confirm service on its website indicates that Appellant received the Board’s order on July 20, 2015.

The Board has received no response from Appellant.

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<sup>1</sup> Appellant filed her appeal with the Board on July 8, 2015. A timely appeal must be filed “within 30 days after receipt by the appellant of the decision from which the appeal is taken.” 43 C.F.R. § 4.332(a).

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 docketed but dismisses this appeal for failure to prosecute.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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