



INTERIOR BOARD OF INDIAN APPEALS

Estate of Agnes Mathilda Lego

61 IBIA 331 (10/06/2015)



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 AGNES MATHILDA)	Order Docketing and Dismissing
LEGO)	Appeal
)	
)	Docket No. IBIA 15-099
)	
)	October 6, 2015

Donna LeGoo (Appellant) appealed to the Board of Indian Appeals (Board) from a Modification to Modify Estate Distribution (Reopening Order) entered on July 7, 2015, by Administrative Law Judge (ALJ) Richard J. Hough in the estate of Appellant’s grandmother, Agnes Mathilda Lego (Decedent).¹ The ALJ’s order reopened Decedent’s estate and modified the ALJ’s Decision, issued on March 31, 2015, to add Patricia Legoo as an heir to Decedent’s estate and to order the distribution of Decedent’s trust assets accordingly.²

On receipt of the appeal, the Board ordered Appellant to complete service of her appeal on the ALJ and all interested parties, as required by 43 C.F.R. §§ 4.310(b) and 4.323, and to notify the Board that she had done so. In addition, the Board ordered Appellant to show cause why her appeal should not be dismissed for lack of standing, for failure to respond to ALJ’s Order to Show Cause, or because the issue she apparently sought to raise—the determination that one of Decedent’s sons, DuWayne Benjamin Legoo, should be named Decedent’s sole heir—was not within the scope of the Reopening Order. The Board set a deadline of September 14, 2015, for Appellant to comply with the

¹ Decedent, who was also known as Agnes Matilda Louzon, Mathilda Agnes Louzon, and Agnes Mathilda Legoo, was a White Earth Business Community – MN Indian. Her probate is assigned Probate No. P000100481IP in the Department of the Interior’s probate tracking system, ProTrac.

² The Reopening Order was issued after the Bureau of Indian Affairs requested a “modification” to include Decedent’s adopted-out granddaughter, Patricia Legoo, as an heir to the estate. Patricia Legoo was adopted out after her natural father’s (Decedent’s son) death, and the ALJ concluded that under applicable state law, she was legally entitled to inherit from Decedent’s estate through her natural father.

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 Track-and-Confirm service on its website indicates that Appellant received the Board's order on August 15, 2015.

The Board has received no response from Appellant.

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:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Thomas A. Blaser
Administrative Judge