



INTERIOR BOARD OF INDIAN APPEALS

Estate of Lazarus K. Rulland

62 IBIA 26 (12/04/2015)

August 13, 2015. Calculated from that mailing date, the deadline for filing an appeal with the Board expired on September 14, 2015.³

The Board provided Appellant an opportunity to demonstrate why his appeal should not be dismissed as untimely and set a deadline of November 9, 2015, for Appellant to respond to the Board's order. The Board advised Appellant that if he failed to respond to or comply with the Board's order, his appeal might be dismissed without further notice. *See* Pre-Docketing Notice, Order Concerning Appellant's Request for Legal Assistance, and Order for Appellant to Show Cause, Sept. 28, 2015, at 3.

The U.S. Postal Service's Track-and-Confirm service on its website indicates that Appellant received the Board's order on October 7, 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
Thomas A. Blaser
Administrative Judge

//original signed
Steven K. Linscheid
Chief Administrative Judge

³ The deadline for filing the appeal would have been September 12, 2015. Since September 12 was a Saturday, the deadline for filing an appeal with the Board would have expired on the next business day, which was September 14, 2015. 43 C.F.R. § 4.310(c).