



INTERIOR BOARD OF INDIAN APPEALS

Estate of Elizabeth Mae Bear Ribs

62 IBIA 88 (01/06/2016)



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 ELIZABETH MAE BEAR)	Order Docketing and Dismissing
RIBS)	Appeal
)	
)	Docket No. IBIA 16-007
)	
)	January 6, 2016

Beverly J. Lam (Appellant) appealed to the Board of Indian Appeals (Board) from an Order Denying Reopening entered on September 29, 2015, by Administrative Law Judge (ALJ) R. S. Chester in the estate of Elizabeth Mae Bear Ribs (Decedent).¹ The Order Denying Reopening denied a request by the Standing Rock Agency Superintendent (Superintendent), Bureau of Indian Affairs, to add trust or restricted property on the Standing Rock Sioux Reservation to the inventory of Decedent’s estate.²

On receipt of the appeal, the Board ordered Appellant to complete service of her notice of appeal on the ALJ and 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. The Board also ordered Appellant to file a statement of reasons identifying the grounds for her appeal and any errors that she contends were committed by the ALJ in issuing the Order Denying Reopening.³ The Board set a deadline of December 1, 2015, for Appellant to comply with the Board’s orders, and advised Appellant that if she failed to comply with or respond to the Board’s order, this appeal might be dismissed without further notice.

¹ Decedent was a Standing Rock Sioux Indian and was also known as Elizabeth One Feather. Her probate is assigned Probate No. P000063168IP in the Department of the Interior’s probate tracking system, ProTrac.

² In doing so, the ALJ noted that the Superintendent may resubmit the petition to add property to Decedent’s estate, to the extent the Superintendent can provide additional information pertaining to the request. Order Denying Reopening at 2.

³ In addition, the Board allowed Appellant’s four siblings, on whose behalf Appellant stated that she also filed the appeal, to send a statement to the Board indicating whether or not they authorized Appellant to file the notice of appeal on their behalf. The Board received one response, from Sherman Bear Ribs, Jr., stating that he authorized Appellant to file the appeal on his behalf, and he is therefore considered an appellant in this appeal.

The U.S. Postal Service's Track-and-Confirm service on its website indicates that Appellant received the Board's order on November 2, 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