



INTERIOR BOARD OF INDIAN APPEALS

Angoon Community Association v. Alaska Regional Director, Bureau of Indian Affairs

62 IBIA 254 (03/07/2016)



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

ANGOON COMMUNITY)	Order Docketing and Dismissing
ASSOCIATION,)	Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 16-030
ALASKA REGIONAL DIRECTOR,)	
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	March 7, 2016

On December 23, 2015, the Board of Indian Appeals (Board) received a notice of appeal from Angoon Community Association (Appellant), through Wally R. Frank, Sr., President. Appellant seeks review of a November 10, 2015, decision of the Alaska Regional Director (Regional Director), Bureau of Indian Affairs (BIA), determining that the 10.24 acres of land identified as Parcel C in Jimmie A. George, Sr.'s (George) Native allotment application is not held in trust on behalf of Appellant.¹

On receipt of the appeal, the Board ordered Appellant to complete service of its appeal on the Regional Director and interested parties, as required by 43 C.F.R. §§ 4.310(b) and 4.332(a), and to notify the Board that it had done so. The Board set a deadline of February 12, 2016, for Appellant to comply with the Board's order, and advised Appellant that if it failed to comply with or respond to the Board's order, its 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 January 15, 2016.

¹ Appellant's notice of appeal did not specifically identify the Regional Director's decision, nor include a copy, but the Board obtained a copy from the Regional Director's office. Appellant did include a copy of an earlier decision by the Regional Director, dated December 31, 2001, which had stated an opposite conclusion, but which the Board vacated in *Heirs of Jimmie George, Sr. v. Alaska Regional Director*, 37 IBIA 146 (2002). The Regional Director's November 10, 2015, decision was issued to address the Board's remand order and as a determination from BIA to the Bureau of Land Management in connection with George's allotment application, as relevant to Parcel C.

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