



INTERIOR BOARD OF INDIAN APPEALS

Estate of Manford Jack Guina, Sr.

63 IBIA 32 (04/27/2016)



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

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|------------------------|---|--------------------------------|
| ESTATE OF MANFORD JACK |) | Order Docketing and Dismissing |
| GUINA, SR. |) | Appeal |
| |) | |
| |) | Docket No. IBIA 16-045 |
| |) | |
| |) | April 27, 2016 |

Zella Jane Sorrels (Appellant) appealed to the Board of Indian Appeals (Board) from an Order to Clarify Distribution of Estate Property (Clarification Order) entered on November 24, 2015, by Administrative Law Judge (ALJ) Earl J. Waits in the estate of Appellant’s son, Manford Jack Guina, Sr. (Decedent).¹ The Clarification Order granted a petition by the Wind River Agency Superintendent, Bureau of Indian Affairs (BIA), to reopen and modify the Decision issued on April 4, 2014, which approved Decedent’s will, in order to clarify the distribution of Decedent’s trust estate. The Clarification Order modified the distribution of Decedent’s estate among those heirs who were identified in the Decision—Cleone Raelynn Guina, Manfred Jack Guina, Jr., and Shadow Keeper Guina.

Upon receipt of the appeal, the Board ordered Appellant to complete service of her notice of appeal on the 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 the Board should not dismiss the appeal as untimely and/or for lack of standing because it appeared that Appellant was not adversely affected by the Clarification Order. The Board set a deadline of April 1, 2016, 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 orders, this 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 March 1, 2016.

The Board has received no response from Appellant.

¹ Decedent was an Eastern Shoshone Indian. The probate number assigned to Decedent’s case in the Department of the Interior’s probate tracking system, ProTrac, is No. P000101716IP.

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