



INTERIOR BOARD OF INDIAN APPEALS

Thomas D. Kress v. Acting Northwest Regional Director, Bureau of Indian Affairs

63 IBIA 169 (06/08/2016)



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

THOMAS D. KRESS,)	Order Dismissing Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 16-019
ACTING NORTHWEST REGIONAL)	
DIRECTOR, BUREAU OF INDIAN)	
AFFAIRS,)	
Appellee.)	June 8, 2016

Thomas D. Kress (Appellant) appealed to the Board of Indian Appeals (Board) from an October 6, 2015, decision of the Acting Northwest Regional Director (Regional Director), Bureau of Indian Affairs (BIA). Appellant is the lessee for Lots 35, 36, and 37 of the Cobahud Waterfront Tracts on the Swinomish Indian Reservation in Washington State, and appealed rental adjustment decisions by BIA’s Puget Sound Agency Superintendent (Superintendent). Appellant argued to the Regional Director that there is recurrent flooding and landslides caused by repeated failures of Tribal street drains, resulting in damage to the leased property. The Regional Director remanded the matter back to the Superintendent for further discussion, negotiations, and development of options regarding recommendations made in an engineering report.

On June 6, 2016, the Board received a letter from Appellant withdrawing his appeal from the Regional Director’s decision.

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 dismisses the appeal.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

//original signed
Thomas A. Blaser
Administrative Judge