



EMAILLED

NOTE: This disposition is nonprecedential.

United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Land Appeals
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January 5, 2016

IBLA 2016-4)	NMNM-135033
)	
LUNA COUNTY)	Trespass
)	
)	Motion for Remand Granted;
)	Appeal Dismissed

ORDER

On October 14, 2015, Luna County (County) appealed from and petitioned for a stay of an August 27, 2015, decision, styled a "Notice of Trespass," issued by the Assistant District Manager, Division of Multi-Resources, Las Cruces (New Mexico) District Office, Bureau of Land Management (BLM). In the decision, BLM notified the County that its construction activities on an R.S. 2477 right-of-way grant constituted acts of trespass, for which BLM held the County liable.

By Order dated November 9, 2015, the Board granted the parties' request to suspend this appeal until January 8, 2016, so the parties could engage in settlement negotiations.

On December 28, 2015, the parties filed with the Board a Joint Motion for Remand (Motion). Therein, the parties state they have successfully resolved the above-captioned appeal in a settlement agreement. The parties therefore request the Board to remand the matter back to BLM so that it can take actions consistent with the parties' settlement agreement. Based on the parties' representations, the Motion is granted. 43 C.F.R. § 4.407(c).

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Joint Motion for Remand is granted and the appeal is dismissed.

_____/s/
James K. Jackson
Administrative Judge

I concur:

_____/s/
Eileen G. Jones
Chief Administrative Judge