



NOTE: This disposition is nonprecedential.

United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Land Appeals
801 N. Quincy St., Suite 300
Arlington, VA 22203

703-235-3750

703-235-8349 (fax)

June 7, 2016

IBLA 2016-63)	NMC1093230 <i>et al.</i>
)	
STEVE MCCORMICK <i>ET AL.</i>)	Mining Claim Maintenance Fees
)	
)	Appeal Dismissed

ORDER

Bruce Squires, agent for mining claimants Steve and Karen McCormick, Sheryl Johnson, and Sharon Tigert, appeals a December 7, 2015, decision of the Nevada State Office, Bureau of Land Management (BLM). In that decision BLM declared claimants' Armargosa #1 and #2 unpatented mining claims (NMC1093230 and NMC1093231) forfeited. We must decide whether Mr. Squires may file an appeal on behalf of the claimants under the Board's governing regulations. Because the record contains no evidence that Mr. Squires was authorized to file an appeal on claimants' behalf, we dismiss the appeal.

Representation of parties before the Board is governed by 43 U.S.C. § 1464 and its implementing regulation at 43 C.F.R. § 1.3. Under the applicable regulation, an individual may be represented only by himself or herself, an attorney-at-law, or a family member.¹ If a person who files an appeal is not authorized by the implementing regulation to practice before the Board, the appeal is subject to dismissal.²

In this case, the claimants are individuals. On their behalf, Mr. Squires signed and filed the appeal.³ However, there is nothing in the record to indicate that Mr. Squires is a co-owner of the claims, a family member of the claimants, or their attorney-at-law. Accordingly, Mr. Squires is not authorized to represent the

¹ 43 C.F.R. § 1.3.

² See *Native Ecosystems Council*, 185 IBLA 268, 272 (2015).

³ See Notice of Appeal at unpaginated 1; Statement of Reasons at 5.

claimants in an appeal before the Board.⁴ We also note that although Mr. Squires may have acted as an agent for the claimants in other activities, such as filing paperwork with BLM on their behalf, that does not qualify him to act as a representative before this Board under 43 C.F.R. § 1.3.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior,⁵ we dismiss the appeal.

/s/
Eileen G. Jones
Chief Administrative Judge

I concur:

/s/
James F. Roberts
Deputy Chief Administrative Judge

⁴ See 43 C.F.R. §§ 1.3, 4.3; *Native Ecosystems Council*, 185 IBLA at 271-72.

⁵ 43 C.F.R. § 4.1.