

EMAILED

CERTIFIED

NOTE: This disposition is nonprecedential.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)

April 27, 2016

IBLA 2016-113)	10-04-Tomblin
)	
KAY TOMBLIN, <i>ET AL.</i>)	Citizens Complaint
)	
)	Appeal Dismissed;
)	Motion to Intervene Denied as Moot

ORDER

On February 19, 2016, appellants appealed from a January 14, 2015, decision issued by the Regional Director, Appalachian Region, Office of Surface Mining Reclamation and Enforcement (OSM). Appellants' notice of appeal did not contain any reasons for appealing OSM's decision.

On April 1, 2016, Heartland Coal Company moved to intervene in this appeal. Appellants did not respond to Heartland's motion.

To date, appellants have not filed any statement of reasons in support of appealing OSM's decision. Appellant have not moved for an extension of time to file a statement of reasons and have not otherwise provided the Board with any explanation for why they have not filed any reasons in support of their appeal. The deadline for appellants to file a statement of reasons has long since passed. *See* 43 C.F.R. § 4.1282(d). Failure to timely file a statement of reasons subjects an appeal to summary dismissal. *See id.* § 4.1285. Because appellants have made no assertion of error regarding OSM's decision, we have no basis upon which to review the propriety of that decision. Therefore, we dismiss the appeal and deny Heartland's motion to intervene as moot.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, we remove this appeal from our docket.

_____/s/_____
Eileen G. Jones
Chief Administrative Judge

I concur:

_____/s/_____
James F. Roberts
Deputy Chief Administrative Judge