

PAUL L. ENGEL AND
GOTTFRIEDE ENGEL

IBLA 71-11

Decided June 5, 1972

Appeal from decision (Nevada 2-69-3) by Departmental hearing examiner dismissing appeal of Sheldon W. Lamb and intervenors Paul and Gottfriede Engel from a decision by, the district manager, Winnemucca Grazing District, reducing grazing privileges.

Appeal dismissed.

Rules of Practice; Appeals: Dismissal--Rules, of Practice: Appeals: Statement of Reasons

An appeal to the Board of Land Appeals will be dismissed when the appellant fails to file a statement of reasons in support thereof within the time allowed.

APPEARANCES: W. Howard Gray, Esq. (Gray, Horton & Hill) for intervenors - appellants; Otto Aho, Esq., Field Solicitor, U. S. Department of the Interior, for the United States.

By the Board.

On August 10, 1970, Paul L. Engel and Gottfriede Engel, intervenors, filed a notice of appeal from a decision dated July 30, 1970, rendered by a Departmental hearing examiner dismissing the appeal of Sheldon W. Lamb and of the intervenors, from a decision of May 8, 1969, by the district manager, Winnemucca, Grazing District, which reduced the qualifications attached to base property owned by the appellants and leased to Lamb.

The notice of appeal gave no reasons for the appeal. Consequently, a statement of reasons was required to be filed within 30 days after the filing of the notice of appeal. 43 CFR 1844.3 (1970) [now substantially embodied in 43 CFR 4.412 (1971)].

The time for filing was extended to October 12, 1970, upon appellant's request.

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No statement of reasons has been filed and no explanation has been made for this omission. Therefore, the appeal is subject to summary dismissal. 43 CFR 4.402-(a) (1972), formerly 43 CFR 1840.0-7(a)(1970). Cf. United States v. Richard P. Haskins et al., 3 IBLA 7 (1971).

Accordingly pursuant to the authority delegated to the Board of land Appeals by the Secretary of the Interior (211 DM 13.5; 35 F.R. 12081), the appeal is dismissed.

6 IBLA 513

