



INTERIOR BOARD OF INDIAN APPEALS

Karen I. Kaquatosh v. Anadarko Area Director, Bureau of Indian Affairs

29 IBIA 240 (07/16/1996)

Related Board cases:

29 IBIA 233

29 IBIA 236

29 IBIA 303

29 IBIA 305

31 IBIA 312

Reconsideration denied, 32 IBIA 12

31 IBIA 314

Reconsideration denied, 32 IBIA 11



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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KAREN I. KAQUATOSH, Appellant	: Order Docketing and Dismissing : Appeal : :
v.	: :
ANADARKO AREA DIRECTOR, BUREAU OF INDIAN AFFAIRS, Appellee	: Docket No. IBIA 96-83-A : : : July 16, 1996

Appellant Karen I. Kaquatosh sought review of a decision issued on May 17, 1996, by the Anadarko Area Director, Bureau of Indian Affairs (Area Director), concerning whether certain property she owned was held in trust status by the United States. For the reasons discussed below, the Board of Indian Appeals (Board) dismisses this appeal.

Because of the large gap between the date of the decision and the date on which appellant stated she received the decision, the Board requested a copy of the return receipt card from the Anadarko Area Office. The return receipt card shows May 31, 1996, as the date on which appellant received the Area Director's decision. That decision correctly informed appellant that her notice of appeal had to be mailed within 30 days of her receipt of the decision, and that no extension of time could be granted for filing a notice of appeal. See 43 CFR 4.332(a). Appellant's notice of appeal was postmarked on July 9, 1996, making it untimely.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the May 17, 1996, decision issued by the Anadarko Area Director is docketed and dismissed.

//original signed
Kathryn A. Lynn
Chief Administrative Judge

//original signed
Anita Vogt
Administrative Judge