



INTERIOR BOARD OF INDIAN APPEALS

No Casino in Plymouth and State of California v. Associate Deputy Secretary of the Interior
and Associate Solicitor, Division of Indian Affairs

44 IBIA 6 (10/31/2006)

Related Board case:
44 IBIA 4



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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NO CASINO IN PLYMOUTH and	:	Order Docketing and Dismissing
STATE OF CALIFORNIA,	:	Appeals
Appellants,	:	
	:	
v.	:	
	:	Docket Nos. IBIA 07-28-A
ASSOCIATE DEPUTY SECRETARY	:	07-29-A
OF THE INTERIOR and ASSOCIATE	:	
SOLICITOR, DIVISION OF	:	
INDIAN AFFAIRS,	:	
Appellees.	:	October 31, 2006

On October 25 and 27, 2006, the Board of Indian Appeals (Board) received notices of appeal, respectively, from the citizens' group "No Casino in Plymouth" and from the State of California (collectively "Appellants"). Appellants seek review of a September 19, 2006 memorandum of the Associate Solicitor, Division of Indian Affairs, and a September 26, 2006 letter of the Associate Deputy Secretary, which concluded that the Ione Band of Miwok Indians of California may conduct gaming on a 228-acre parcel of land located in and adjacent to the City of Plymouth, California, if that land were taken into trust by the Department of the Interior.

These appeals seek review of the same memorandum and letter that were the subject of an appeal by the County of Amador, California, which the Board recently dismissed for lack of jurisdiction. See County of Amador v. Associate Deputy Secretary, 44 IBIA 4 (2006).

For the same reasons discussed in County of Amador, the Board lacks jurisdiction over these appeals.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed these appeals but dismisses them for lack of jurisdiction. 1/

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge

1/ No Casino in Plymouth's appeal is docketed as Docket No. IBIA 07-28-A, and the State of California's appeal is docketed as Docket No. IBIA 07-29-A.