



UNITED STATES DEPARTMENT OF THE INTERIOR

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET #300
ARLINGTON, VIRGINIA 22203
703-235-3816

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CALIFORNIA VALLEY MIWOK TRIBE, CALIFORNIA.

APPELLANT

PACIFIC REGIONAL DIRECTOR,
BUREAU OF INDIAN AFFAIRS.

APPELLEE

YAKIMA DIXIE, VELMA WHITEBEAR, AND
CHADD EVERONE.

INTERESTED PARTIES

**RESPONSE OF
INTERESTED PARTIES TO
IBIA'S NOTICE OF NON-RECEIPT
OF APPELLANT'S RESPONSE TO
FEBRUARY 29, 2008, ORDER, AND
ORDER GRANTING ADDITIONAL
TIME TO FILE - DATED
APRIL 3, 2008**

DOCKET No. IBIA 07-100-A

APRIL 15, 2008

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On April 6, 2008, the Interested Parties received the April 3, 2008 Notice from the IBIA which is captioned: "NOTICE OF NON-RECEIPT OF APPELLANT'S RESPONSE TO FEBRUARY 29, 2008, ORDER, AND ORDER GRANTING ADDITIONAL TIME TO FILE".

Consequently, the Interested Parties will have to retract their Pleading which is dated March 19, 2008 and entitled "RESPONSE OF INTERESTED PARTIES TO APPELLANT'S REPLY TO APPELLEE'S SUPPLEMENT TO ITS OPPOSITION DATED MARCH 12, 2008". The Board was correct to surmise that the Interested Parties (Everone and WhiteBear) had received a Response by the Appellant, and they had assumed that it had been sent, also, to the IBIA. As of April 15, 2008, the Interested Parties have not received a Pleading from the Appellant in compliance with the Board's April 10, 2008 deadline to do so. Several possibilities pertain.

24 1) If the Appellant did not submit her Response on or before April 10, 2008, then no such
Response is on the record and the Pleading of Interested Parties' of March 12, 2008 is irrelevant;
and it should be stricken from the record.

26 2) If the Appellant did submit her Response in a timely manner but did not copy the Interested
28 Parties, then Pleading of Interested Parties' of March 12, 2008 should still be stricken because it
cannot be responsive to a Pleading, a copy of which has not been received.

30 3) If the Appellant did submit her Response in a timely manner, she should be directed to
32 forward a copy to the Interested Parties so that they may have the option of responding.

34 Please strike from the record the Pleading of the Interested Parties which is dated March 19,
2008 and entitled "RESPONSE OF INTERESTED PARTIES TO APPELLANT'S REPLY TO
36 APPELLEE'S SUPPLEMENT TO ITS OPPOSITION DATED MARCH 12, 2008".

38 Respectfully,

*Authorized by Phone,
Signed Copy On File*

Yakima K. Dixie, Chief & Hereditary
Authority
California Valley Miwok Tribe (formerly
Sheep Ranch Rancheria of Me-Wuk Indians of
California)
Drafted for Interested Parties by:

Velma WhiteBear, Executive Director

California Valley Miwok Tribe (formerly
Sheep Ranch Rancheria of Me-Wuk Indians of
California)

Chadd Everone, Deputy
2140 Shattuck Ave. #602
Berkeley, California 94704
510-486-1314

40 Date: _____

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Certificate of Service

I hereby certify that, on or about March 19, 2008, copies of the foregoing were served by First Class Mail (USPS) to the following addressees:

The IBIA:

Board of Indian Appeals
Office of Hearings and Appeals
U.S. Department of the Interior
801 North Quincy St.
Arlington, Virginia 22203

Appellee:

Associate Solicitor
Division of Indian Affairs
Attention: Jane Smith / Scott Keep
Office of the Solicitor
MS-6456-MIB
U.S. Department of the Interior
1849 "C" Street, N.W.
Washington, DC 20240

Amy Dutschke, Acting Regional Director
Pacific Regional Office
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, California 95825

Troy Burdick, Superintendent
Bureau of Indian Affairs,
Central California Agency
650 Capitol Mall 8-500
Sacramento, California 95814

Office of the Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825-1890

Appellant:

Silvia Burley
California Valley Miwok Tribe
10601 Escondido Pl.
Stockton, California 95212

Phillip E. Thompson, Esq.
601 Pennsylvania Ave., NW, Suite 900
South Building
Washington, D.C. 20004


Interested Parties:

Chadd Everone
2140 Shattuch Ave. #602
Berkeley, California 94704

Velma WhiteBear
213 Downing Dr.
Galt, California 95632


Yakima Dixie
California Valley Miwok Tribe
11178 Sheep Ranch Rd. (Sheep Ranch)
Mountain Ranch, California 95246

Chadd Everone, Deputy

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704


IBIA 07-100-A

TO:
Troy Burdick, Superintendent
Bureau of Indian Affairs,
Central California Agency
650 Capitol Mall 8-500
Sacramento, California 95814

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704


IBIA 07-100-A

TO:
United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Indian Appeals
801 North Quincy Street #300
Arlington, Virginia 22203

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704


IBIA 07-100-A

TO:
Associate Solicitor / Division of Indian Affairs
Attention: Scott Keep/Jane Smith
Office of the Solicitor
MS-6456-MIB
U.S. Department of the Interior
1849 "C" Street, N.W.
Washington, DC 20240

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704


IBIA 07-100-A

TO:
Regional Solicitor
Pacific Southwest Region
U.S. Department of the Interior
2800 Cottage Way, Room E-1712
Sacramento, CA 95825-1890

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704

IBIA 07-100-A

TO:
Regional Director
Pacific Regional Office
Bureau of Indian Affairs
2800 Cottage Way
Sacramento, California 95825

 **FROM:** Sheep Ranch Rancheria of MiWok Indians of California c/o CHADD EVERONE 2140 Shattuck Ave. #602, Berkeley, California 94704

IBIA 07-100-A

TO:
Silvia Burley
California Valley Miwok Tribe
10601 Escondido Pl.
Stockton, California 95212



FROM: Sheep Ranch Rancheria of MiWok Indians of
California c/o **CHADD EVERONE** 2140 Shattuck Ave.
#602, Berkeley, California 94704

IBIA 07-100-A

TO:
Phillip Thompson, Esq.
Native American Law and Economic
Development Center
601 Pennsylvania Ave., Suite 900
South Building
Washington, D.C. 20005