JOYCE KAY LAMEBULL LITTLEMAN,	:	Order Affirming Decision
NANNIE ESTHER LAMEBULL, and	:	
SAMPSON LAMEBULL III,	:	
Appellants	:	
	:	Docket No. IBIA 93-83-A
v.	:	
	:	
ANADARKO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	July 28, 1993

Appellants Joyce Kay Lamebull Littleman, Nannie Esther Lamebull, and Sampson Lamebull III seek review of an April 13, 1993, decision issued by the Anadarko Area Director, Bureau of Indian Affairs (Area Director), approving the partitioning of the original allotment of Howling Water, deceased Cheyenne-Arapaho Allottee 989. For the reasons discussed below, the Board of Indian Appeals (Board) affirms that decision.

Appellants' notice of appeal states in its entirety:

> I am writing to appeal the decision of the Anadarko Area Director * * *. I am appealing on behalf of Sampson Lamebull, III, Nannie Esther Lamebull, and myself, Joyce Kay Lamebull Littleman. I have been authorized by both to submit this appeal.
>
> The appeal is opposing the Area Director's decision to uphold the approval for an application for partition by the Concho Agency Superintendent to allow Sampson Lamebull, Jr., to partition among the owners of surface and surface rights only in land described as part of the original allotment of Howling Water, deceased Cheyenne-Arapaho allottee No. 989. The Property is described as the NW/4 of Section 22, Township 16 North, Range 8 West of the Indian Meridian, Kingfisher County, Oklahoma containing 160 acres, more or less. Enclosed you will find a copy of the letter of approval for the partition.
>
> I will be awaiting acknowledgement of this notice with further appeal procedures.
>
> I hereby certify that I have mailed a copy of this letter to all persons listed that are entitled to notification.

Although advised of their right to do so, appellants did not file an opening brief.

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In appeals arising under 25 CFR Part 2, as this appeal does, the appellants bear the burden of proving that the agency decision complained of was erroneous or not supported by substantial evidence. See, e.g., Pikyavit v. Acting Phoenix Area Director, 23 IBIA 4 (1992), and cases cited therein. In the present case, the notice of appeal does not set forth any grounds for the appeal, and appellants did not file a brief indicating those grounds. Because they have not given any reasons for the appeal, or attempted to show the error in the Area Director's decision, appellants have not sustained their burden of proof.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Anadarko Area Director's April 13, 1993, decision is affirmed.

_____
Kathryn A. Lynn
Chief Administrative Judge

_____
Anita Vogt
Administrative Judge

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