



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR FAILURE TO PROSECUTE: June 6, 2017

CBCA 5604-ISDA

NATIVE VILLAGE OF NULATO,

Appellant,

v.

DEPARTMENT OF THE INTERIOR,

Respondent.

Michael Stickman, First Chief of Native Village of Nulato, Nulato, AK, appearing for Appellant.

Sabrina A. McCarthy, Office of the Solicitor, Department of the Interior, Washington, DC, counsel for Respondent

Before Board Judges **SOMERS**, **GOODMAN**, and **CHADWICK**.

CHADWICK, Board Judge.

The Board docketed this appeal on January 17, 2017, but the appellant has not filed a complaint. By rule, the complaint was due February 16, 2017. *See* Board Rule 6(b) (48 CFR 6101.6(b) (2016)). On March 6, 2017, we warned the appellant in an order that failure to file its complaint by March 13, 2017, could be grounds to dismiss the appeal for failure to prosecute. On May 23, 2017, when the complaint was ninety-four days overdue, we ordered the appellant to show cause no later than May 30, 2017, why we should not dismiss the appeal for failure to prosecute. The appellant confirmed receipt of the show cause order but did not respond to it. The appellant's repeated "failure to comply with a[] direction or order issued by the Board" warrants the sanction of dismissal. Rule 33(c), (c)(6).

Decision

The appeal is **DISMISSED WITH PREJUDICE** for failure to prosecute.

KYLE CHADWICK
Board Judge

We concur:

JERI KAYLENE SOMERS
Board Judge

ALLAN H. GOODMAN
Board Judge