



**United States
Department of
Agriculture**

**Forest
Service**

**Southwestern
Region**

**517 Gold Avenue, SW
Albuquerque, NM 87102-0084
FAX (505) 842-3800
V/TTY (505) 842-3292**

File Code: 1570

Date: August 25, 1998

Reference: Appeal # 98-03-00-0044-A217
Coconino National Forest Plan Amendment 12

Mr. Troy S. Williams
P.O. Box 1379
Sedona, Arizona 86339

Dear Mr. Williams:

We received your appeal of the Coconino National Forest Plan Amendment 12 on August 14, 1998. Unfortunately, your letter was postmarked August 11, 1998. The appeal regulations require the Forest Service to use the postmark as evidence of timely filing, see (36 CFR 217.8)(c), "It is the responsibility of the appellant to file the notice on or before the last day of the filing period. In the event of question, a legible postmark will be considered evidence of timely filing." You had 45 days from the June 24, 1998 decision notice publication in the Arizona Daily Sun in which to file your appeal (36 CFR 217.8(a)(2)). The appeal period closed on August 10, 1998. Therefore, I must dismiss your appeal as untimely. The appeal regulations do not permit me the flexibility to grant an extension of time on your appeal (36 CFR 217.8(d)(1)).

This dismissal decision is subject to discretionary review at the next administrative level as provided for in 36 CFR 217.7 (d), see (36 CFR 217.11(c)).

Sincerely,

/s/ Alan J. Koschmann for
JOHN R. KIRKPATRICK
Appeal Deciding Officer
Deputy Regional Forester, Resources

