



**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: 1570-1/2200
Date: April 13, 2000

John C. Horning
c/o Forest Guardians
1411 Second Street
Santa Fe, NM 87505

RE: Appeal #00-03-00-0071-A215, Rosilla Grazing Allotment, Pecos/Las Vegas Ranger District, Santa Fe National Forest.

Dear Mr. Horning:

This letter is to inform you that the Regional Office received the above-mentioned appeal on April 10, 2000.

Through our process of determining a timely filing of this appeal, a procedural error was discovered which is inconsistent with 36 CFR 215.9 "Notice of Decisions". The Forest failed to publish the notice of this decision in a newspaper of general circulation.

The Forest has been notified of the error and they are proceeding with the publication in the "Albuquerque Journal". The appeal period will not begin until the date of the publication, therefore, your appeal is premature. Your appeal is being dismissed without review pursuant to 36 CFR 215.1(a) since the appeal period was not initiated. You may elect to resubmit your appeal within 45 days of the publication date.

Sincerely,

/s/ James T. Gladen
JAMES T. GLADEN
Appeal Deciding Officer
Deputy Regional Forester, Resources

Enclosure

Cc:
Forest Supervisor, Santa Fe NF
District Ranger, Pecos/Las Vegas RD
Rangeland Management, R3
Appeals & Litigation, R3

