

SERVED: July 9, 1992

NTSB Order No. EA-3607

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

Adopted by the NATIONAL TRANSPORTATION SAFETY BOARD  
at its office in Washington, D.C.  
on the 15th day of June, 1992

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BARRY LAMBERT HARRIS,	)	
Acting Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	Docket SE-12190
v.	)	
	)	
JULIAN F. GUFFIN,	)	
	)	
Respondent.	)	
	)	

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**ORDER DISMISSING APPEAL**

On March 9, 1992, respondent filed a notice of appeal from the oral initial decision Administrative Law Judge Jerrell R. Davis issued at the conclusion of an evidentiary hearing held on March 3, 1992.<sup>1</sup> However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under section 821.48(a) of the Board's

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<sup>1</sup>The law judge affirmed an order of the Administrator revoking respondent's Airline Transport Pilot Certificate Number 1981313 and his Control Tower Operator Certificate Number 459684758 for his alleged violations of sections 61.15(a)(2) and 67.20(a)(1) of the Federal Aviation Regulations, 14 CFR Parts 61 and 67, and of section 609(c)(1) of the Federal Aviation Act, 49 USC 1429.

Rules of Practice.<sup>2</sup> See 49 CFR Part 821.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's appeal is dismissed.

COUGHLIN, Acting Chairman, LAUBER, KOLSTAD, HART and HAMMERSCHMIDT, Members of the Board, concurred in the above order.

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<sup>2</sup>Section 821.48(a) provides as follows:

"§ 821.48 Briefs and oral argument.

(a) Appeal briefs. Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief."