

SERVED: November 27, 1992

NTSB Order No. EA-3744

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 23rd day of November, 1992

THOMAS C. RICHARDS,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-11902
v.)	
)	
JOSE A. ARROYO,)	
)	
Respondent.)	
)	

ORDER DISMISSING APPEAL

On July 30, 1992, respondent filed a notice of appeal from the oral initial decision Administrative Law Judge Patrick G. Geraghty rendered in the proceeding on July 20, 1992.¹ However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under section 821.48(a) of the

¹The law judge affirmed an order of the Administrator suspending the respondent's airline transport pilot certificate (No. 584527448) for his alleged violations of sections 91.31(a), 135.83(a)(1), 135.117(a), and 91.9 of the Federal Aviation Regulations. The law judge modified the order to provide for a 60, rather than a 90, day suspension. The Administrator did not appeal the modification.

Board's Rules of Practice.² See 49 CFR Part 821.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

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

²Section 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."