

SERVED: February 2, 1993

NTSB Order No. EA-3780

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 25th day of January, 1993

| | | |
|----------------------------------|---|-----------------|
| THOMAS C. RICHARDS, |) | |
| Administrator, |) | |
| Federal Aviation Administration, |) | |
| |) | |
| Complainant, |) | |
| |) | Docket SE-10433 |
| v. |) | |
| |) | |
| PAUL R. DAVIDS, |) | |
| |) | |
| Respondent. |) | |
| |) | |

ORDER DENYING STAY

Respondent has filed a motion asking the Board to stay, pending judicial appeal, the effective date of NTSB Order No. EA-3740, served December 4, 1992, by which respondent's commercial pilot certificate was revoked.¹ Respondent's request is denied.

The Board consistently denies requests for stays pending judicial review in cases involving revocation "because the revocation of a certificate, in contrast to a suspension, is based upon the conclusion that the airman's conduct is sufficiently egregious as to demonstrate a lack of the qualifications required of a certificate holder." *Administrator v. Balestra*, NTSB Order No. EA-3065 at 1-2 (1990). Respondent's

¹The Administrator has not filed a response to the motion.

pilot certificate was revoked in the instant case because of his conviction for an offense relating to drug trafficking and involving the use of an aircraft. The Board believes that aviation safety and the public interest require that, under such circumstances, he be denied the right to exercise the privileges of his certificate pending judicial review.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's request for a stay is denied.

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