

SERVED: February 3, 1993

NTSB Order No. EA-3783

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-12633
v.)	
)	
RANDY LYNN KIDWELL,)	
)	
Respondent.)	
)	

ORDER DISMISSING APPEAL

On September 18, 1992, respondent filed a notice of appeal from the oral initial decision Administrative Law Judge William R. Mullins rendered at the conclusion of an evidentiary hearing held on September 10, 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 Board's Rules of Practice.² See

¹The law judge affirmed an emergency order of the Administrator revoking respondent's airman pilot certificate (No. 457293670) for his alleged violations of sections 61.3(a) and (c), 61.56(b), 91.119(a) and (b), 91.17(a)(1) and (2) and 91.13(a) of the Federal Aviation Regulations. The respondent waived expedited processing of the case as an emergency.

²Section 821.48(a) provides as follows:

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.

(..continued)

"§ 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."