

SERVED: March 3, 1994

NTSB Order No. EA-4101

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 22nd day of February, 1994

_____)	
DAVID R. HINSON,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-13287
v.)	
)	
PETER L. SLOAN,)	
)	
Respondent.)	
_____)	

ORDER DISMISSING APPEAL

The Administrator has filed a motion to dismiss respondent's appeal of the oral initial decision that Administrative Law Judge William E. Fowler rendered at the conclusion of an evidentiary hearing held on October 22, 1993.

The record establishes that the respondent filed a timely notice of appeal.¹ However, respondent did not perfect his

¹The law judge affirmed an emergency order of the Administrator revoking respondent's Airline Transport Pilot Certificate No. 036409112 for his alleged violations of Sections 61.59(a), 91.9(a), 91.13(a), 91.151(a), 135.5, 135.83(a)(1) and (2), 135.185(a), 135.209(a)(1) and 135.293(a) and (b) of the Federal Aviation Regulations. The respondent waived expedited processing of the case as an emergency.

appeal by filing an appeal brief as required by Section 821.48(a) of the Board's Rules of Practice,² 49 C.F.R. 821. Therefore, we will grant the Administrator's motion, to which respondent has filed no answer.

ACCORDINGLY, IT IS ORDERED THAT:

1. The Administrator's motion to dismiss is granted; and
2. The respondent's appeal is dismissed.

VOGT, Chairman, COUGHLIN, Vice Chairman, LAUBER, HAMMERSCHMIDT, and HALL, 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.