

SERVED: May 31, 1994

NTSB Order No. EA-4182

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 May, 1994

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DAVID R. HINSON,		)	
Administrator,		)	
Federal Aviation Administration,		)	
		)	
Complainant,		)	
		)	Docket SE-13372
v.		)	
		)	
DAN MURCHISON ROYALL,		)	
		)	
Respondent.		)	
		)	
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**ORDER DISMISSING APPEAL**

The Administrator has filed a motion to dismiss respondent's appeal from the written initial decision and order Administrative Law Judge William R. Mullins served on January 19, 1994.<sup>1</sup>

The record establishes that the respondent filed a timely notice of appeal. However, the respondent has failed to file an appeal brief as required by section 821.48(a) of the Board's Rules of Practice.<sup>2</sup> 49 CFR 821. Therefore, we will grant the

<sup>1</sup>The law judge granted summary judgment on the pleadings and affirmed the Administrator's order revoking respondent's airman certificate (no. 1262905) based on respondent's conviction for a drug-trafficking offense.

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

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, HALL, Vice Chairman, LAUBER 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.