

SERVED: August 16, 1995

NTSB Order No. EA-4390

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 12th day of August, 1995

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DAVID R. HINSON,		)	
Administrator,		)	
Federal Aviation Administration,		)	
		)	
Complainant,		)	
		)	Docket SE-13814
v.		)	
		)	
MICHAEL A. BEAUCHEMIN,		)	
		)	
Respondent.		)	
		)	
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**ORDER DENYING STAY**

Respondent requests a stay of Board Order EA-4371, served June 16, 1995, pending the disposition of a petition for review of that decision he plans to file with a United States Court of Appeals.<sup>1</sup> The motion for a stay, opposed by the Administrator, will be denied.

A Board decision affirming, on substantive grounds, the revocation of a certificate reflects our agreement with the Administrator that the airman lacks the qualifications necessary to hold the certificate.<sup>2</sup> It has therefore been the Board's

<sup>1</sup>Board Order EA-4371 affirmed a decision sustaining the revocation of respondent's private pilot certificate for his alleged violation of section 61.15(a)(2).

<sup>2</sup>A stay of a Board order affirming a revocation may be

longstanding and consistent policy to deny stays of such decisions pending judicial review. See, e.g., Administrator v. Gilliland, NTSB Order EA-4204 (1994). Respondent's motion for a stay of the order revoking his private pilot certificate makes no argument that his case justifies a departure from precedent.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's motion for stay is denied.

HALL, Chairman, FRANCIS, Vice Chairman, and HAMMERSCHMIT, Member of the Board, concurred in the above order.

(..continued)  
available where an airman's appeal was dismissed on a procedural ground. See Administrator v. Coombs, NTSB Order No. EA-3750 (1992).