

SERVED: June 17, 1996

NTSB Order No. EA-4462

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 13th day of June, 1996

DAVID R. HINSON,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-14075
v.)	
)	
ERROL H. VAN EATON,)	
)	
Respondent.)	
)	

ORDER DENYING STAY

Respondent has requested a stay of NTSB Order EA-4435, pending review of that order by the United States Court of Appeals for the Ninth Circuit pursuant to Section 1006 of the Federal Aviation Act (49 U.S.C. § 46110) and the NTSB Rules (49 C.F.R. 821.64).¹

We upheld certificate revocations after affirming the law judge's finding that respondent, at the time an FAA air safety inspector, had falsified a rating application form. We also found that the record supported the law judge's conclusion that

¹Board Order EA-4435, served March 20, 1996, affirmed the revocation of respondent's pilot, flight instructor, mechanic, and ground instructor certificates for violation of 49 C.F.R. 61.59(a) and 61.151(b).

respondent's actions demonstrated a lack of good moral character.

The Board's policy is clear regarding stays pending judicial review of cases where we have revoked certificates. We consistently deny stays in cases involving certificate revocation because revocation incorporates a conclusion that an airman lacks the qualifications required of a certificate holder.

Respondent offers nothing to support a different result here. Respondent's conduct illustrates a disregard for aviation regulations, and by extension, a disregard for aviation safety. We believe that a stay of the revocation order would be inconsistent with the public interest.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's motion for stay is denied.

HALL, Chairman, FRANCIS, Vice Chairman, HAMMERSCHMIDT, GOGLIA, and BLACK, Members of the Board, concurred in the above order.