

SERVED: September 11, 1996

NTSB Order No. EA-4484

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 6th day of September, 1996

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DAVID R. HINSON,	)	
Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	Docket SE-14216
v.	)	
	)	
SAMMY D. DAWKINS,	)	
	)	
Respondent.	)	
	)	

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**ORDER DISMISSING APPEAL**

The Administrator has filed a motion to dismiss respondent's appeal to the Board in this proceeding because it was not filed within 10 days after the law judge rendered his oral initial decision<sup>1</sup> on April 26, 1996, as required by Section 821.47 of the Board's Rules of Practice (see 49 CFR Part 821).<sup>2</sup> No answer to

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<sup>1</sup>The law judge affirmed an order of the Administrator suspending respondent's private pilot certificate (No. 156111304) for his alleged unauthorized performance of maintenance on four aircraft, in violation of sections 43.7(a) and 43.9(a) of the Federal Aviation Regulations, 14 C.F.R. Part 43.

<sup>2</sup>Section 821.47 provides as follows:

§ 821.47 **Notice of Appeal.**

the Administrator's motion has been received.<sup>3</sup>

In the absence of a showing of good cause excusing the failure to meet the filing deadline, the appeal will not be entertained. See, e.g., Administrator v. Hooper, 6 NTSB 559 (1988).

**ACCORDINGLY, IT IS ORDERED THAT:**

The respondent's appeal is dismissed.

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

(..continued)

(a) A party may appeal from a law judge's order or from the initial decision by filing with the Board and serving upon the other parties (pursuant to §821.8) a notice of appeal within 10 days after an oral initial decision or an order has been rendered or a written decision or a final or appealable (see § 821.16) order has been served....

<sup>3</sup>Respondent's appeal was filed on May 13, 1996.