

SERVED: November 8, 1996

NTSB Order No. EA-4498

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 5th day of November, 1996

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DAVID R. HINSON,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	
v.)	
)	
ROBERT B. MINTER,)	
)	
Respondent.)	
)	
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Docket SE-14468

ORDER DISMISSING APPEAL

On June 28, 1996, respondent, by counsel, filed a notice of appeal from the oral initial decision Administrative Law Judge Patrick G. Geraghty issued at the conclusion of an evidentiary hearing held on June 20, 1996.¹ However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under section 821.48(a) of the Board's Rules of Practice.² See 49 CFR Part 821.

¹The law judge affirmed an emergency order of the Administrator revoking any airman certificate held by respondent, including private pilot certificate No. 519150672, for his alleged violations of sections 61.59(a)(1) and (2) of the Federal Aviation Regulations.

²Section 821.48(a) provides as follows:

§ 821.48 Briefs and oral argument.

ACCORDINGLY, IT IS ORDERED THAT:

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) 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.