

SERVED: November 19, 1998

NTSB Order No. EA-4722

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 10th day of November, 1998

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JANE F. GARVEY,	)	
Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	Docket SE-15007
v.	)	
	)	
DOUGLAS E. HAYNES,	)	
	)	
Respondent.	)	
	)	

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**ORDER DENYING PETITION FOR RECONSIDERATION**

Respondent seeks reconsideration of our decision, EA-4690, served August 14, 1998. The Administrator has replied in opposition, and has moved to dismiss, citing 49 CFR 821.50(d).<sup>1</sup>

In our decision, we affirmed an order of the Administrator suspending respondent's private pilot certificate for 180 days for failure to have the necessary certificates, ratings, testing, or competency and flight proficiency checks to act as pilot-in-command of a passenger carrying Part 135 flight. Respondent defaulted, as he did not appear at the hearing. In his appeal of the law judge's decision upholding the Administrator's order, respondent attempted to explain his absence, but we concluded that in the circumstances the law judge had not abused his discretion.

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<sup>1</sup> That rule provides that repetitious petitions will be summarily dismissed.

Respondent's petition offers no challenge to or commentary on our decision. It merely reiterates, word for word, his original appeal, which we have already fully considered.

**ACCORDINGLY, IT IS ORDERED THAT:**

1. Respondent's petition for reconsideration is denied;  
and

2. The 180-day suspension of respondent's certificate shall begin 30 days from the service date of this order.<sup>2</sup>

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

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<sup>2</sup> For the purpose of this order, respondent must physically surrender his certificate to a representative of the Federal Aviation Administration pursuant to 14 C.F.R. 61.19(f).