

SERVED: February 1, 2001

NTSB Order No. EA-4880

UNITED STATES OF AMERICA  
**NATIONAL TRANSPORTATION SAFETY BOARD**  
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. 800.24)  
on the 1st day of February, 2001

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JANE F. GARVEY,	)	
Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	
v.	)	Dockets SE-15810
	)	and SE-15811
	)	
JACQUES SINONCELLI and	)	
SCENIC AIR, INC.,	)	
	)	
Respondents.	)	
	)	

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**ORDER DISMISSING APPEAL**

On July 12, 2000, respondents filed a timely notice of appeal from the oral initial decision Administrative Law Judge Patrick G. Geraghty rendered in this case, also on July 12, 2000.<sup>1</sup> However, respondents have not filed an appeal brief, and their appeal is therefore subject to dismissal under section

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<sup>1</sup>The law judge affirmed orders of the Administrator revoking respondent Scenic Air's Air Carrier Certificate No. S5TA101W and any other certificate held by it, and Airline Transport Pilot Certificate No. 552966629, Flight Instructor Certificate No. 552966629, and any other certificate held by respondent Sinoncelli for their alleged violations of sections 61.59(a)(2), 135.340(a)(2), and 135.347(a) of the Federal Aviation Regulations, 14 CFR Parts 61 and 135.

821.48(a) of the Board's Rules of Practice.<sup>2</sup> See 49 CFR Part 821.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondents' appeal is dismissed.<sup>3</sup>

Ronald S. Battocchi  
General Counsel

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<sup>2</sup>Section 821.48(a) provides as follows:

**§ 821.48 Briefs and oral argument.**

(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.

<sup>3</sup>The Administrator's November 16, 2000 motion to dismiss is dismissed as moot.