

SERVED: June 6, 2003

NTSB Order No. EA-5041

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 3rd day of June, 2003

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MARION C. BLAKEY)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-16514
v.)	
)	
MERIC ALAN MURPHY,)	
)	
Respondent.)	
)	
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ORDER DENYING RECONSIDERATION

Respondent, appearing pro se, has petitioned for reconsideration of Board Order No. EA-5015, served January 28, 2003. The Administrator has replied in opposition. We deny the petition.

The petition essentially reiterates arguments previously considered, and demonstrates no error in, or reason to modify, our original decision.¹

¹ Respondent also proffers a statement from an individual claiming that he was not the passenger the FAA inspector testified he thought he observed, from a distance, board respondent's aircraft. This statement, even if true (it is not an affidavit or even notarized), is not germane to our resolution of the case; and, even if it could be said to be (because of its potential relevance to the weight to be accorded to the FAA

ACCORDINGLY, IT IS ORDERED THAT:

1. Respondent's petition for reconsideration is denied.

ENGLEMAN, Chairman, ROSENKER, Vice Chairman, and GOGLIA, CARMODY, and HEALING, Members of the Board, concurred in the above order.

(..continued)
inspector's observations), there is no indication why this evidence could not have been presented at the hearing (during which respondent chose not to present any evidence).