

The record establishes that respondent filed a notice of appeal from the law judge's May 12th order,² but he did not file an appeal brief within 30 days after that date, that is, by June 11, 2005.

In the absence of good cause to excuse respondent's failure either to perfect his appeal by filing a timely appeal brief or to submit a timely extension request for filing the brief after the deadline, dismissal of his appeal is required by Board precedent. See Administrator v. Hooper, 6 NTSB 559 (1988).

ACCORDINGLY, IT IS ORDERED THAT:

1. The Administrator's motion to dismiss is granted; and
2. The respondent's appeal is dismissed.

Ronald S. Battocchi
General Counsel

² The law judge dismissed petitioner's petition for review of the Federal Aviation Administration's denial of airman medical certification for want of prosecution and terminated the proceeding.