

SERVED: May 9, 2001

NTSB Order No. EM-189

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 7th day of May, 2001

_____	)	
JAMES M. LOY,	)	
Commandant,	)	
United States Coast Guard,	)	
	)	
	)	
v.	)	Docket ME-170
	)	
	)	
GREGORY L. PERIMAN,	)	
	)	
Appellant.	)	
_____	)	

**ORDER**

The Coast Guard has moved to dismiss without prejudice the appeal to the Board the appellant has taken from Appeal Decision 2621, dated January 22, 2001, on the ground that it is premature for the Board to consider the decision of the Administrative Law Judge, who ordered the revocation of appellant's merchant mariner's license and document, since the appealed from order of the Commandant remanded the case to the law judge for further proceedings in light of new evidence. Because we agree with the Coast Guard that Board review should await a final order in the proceeding, the motion, to which appellant filed no responsive pleading, will be granted.

**ACCORDINGLY, IT IS ORDERED THAT:**

The Coast Guard's February 16, 2001 motion to dismiss without prejudice the petition for review is granted.

CARMODY, Acting Chairman, HAMMERSCHMIDT, GOGLIA, and BLACK, Members of the Board, concurred in the above order.