

SERVED: June 17, 1997

NTSB Order No. EA-4559

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 12th day of June, 1997

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BARRY L. VALENTINE,	)	
Acting Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	Docket SE-14599
v.	)	
	)	
MICHELE LEONE,	)	
	)	
Respondent.	)	
	)	

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**ORDER DISMISSING APPEAL**

On February 14, 1997, respondent, by counsel, filed a notice of appeal from the oral initial decision Administrative Law Judge Patrick G. Geraghty rendered at the conclusion of an evidentiary hearing held on February 7, 1997.<sup>1</sup> However, respondent has not filed an appeal brief and her appeal is therefore subject to dismissal under section 821.48(a) of the Board's Rules of Practice.<sup>2</sup> See 49 CFR Part 821.

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<sup>1</sup>The law judge affirmed an emergency order of the Administrator revoking any airman certificate held by respondent, including commercial pilot certificate No. 2417074, for her alleged violations of sections 61.59(a)(1) and (2) and 61.51(c)(2) and (3) of the Federal Aviation Regulations.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's appeal is dismissed.

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

(..continued)

<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.