

SERVED: January 14, 1998

NTSB Order No. EA-4618

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 9th day of January, 1998

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JANE F. GARVEY,		)	
Administrator,		)	
Federal Aviation Administration,		)	
		)	
Complainant,		)	
		)	Docket SE-14849
v.		)	
		)	
CARL S. KRETZER,		)	
		)	
Respondent.		)	
		)	
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**ORDER DISMISSING APPEAL**

On August 16, 1997, respondent filed a notice of appeal from the oral initial decision Administrative Law Judge William R. Mullins rendered at the conclusion of an evidentiary hearing held on August 7, 1997.<sup>1</sup> However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under

<sup>1</sup>The law judge affirmed in part an order of the Administrator, concluding that she had proved her allegation that respondent had committed a violation of section 91.119(b) of the Federal Aviation Regulations, but not her allegations that sections 91.119(a) and 91.13(a) had also been violated. In light of the dismissal of the two charges, the law judge modified the Administrator's order to provide for a 15, rather than a 60, day suspension of any airman certificate held by respondent, including airman certificate No. 2202789, with airline transport pilot privileges. No appeal from the law judge's decision was taken by the Administrator.

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

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's appeal is dismissed.

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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.