

SERVED: July 24, 1992

NTSB Order No. EA-3631

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 10th day of July, 1992

THOMAS C. RICHARDS,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-9861
v.)	
)	
JOHN D. THOMPSON,)	
)	
Respondent.)	
)	

ORDER DENYING STAY

Respondent, by counsel, has requested a stay of NTSB Order EA-3457 (served December 23, 1991) pending disposition of a petition for review of that order to be filed in the U.S. Court of Appeals.¹

Respondent's stay request was filed on May 26, 1992, some 61 days after the Board, on March 26, 1992, served its order denying his petition for reconsideration of Order EA-3457. That stay request states that respondent "intends to appeal the order to the appropriate court of appeals." Since any petition for review filed in the Court of Appeals on or after May 26 would be untimely, respondent's request for a stay must be denied, for the

¹The Board in Order EA-3457 affirmed a 15-day suspension of respondent's Airline Transport Pilot certificate. Reconsideration of that decision was denied in Board Order EA-3524 (served March 26, 1992).

Board does not grant stays of Board orders that have not been timely appealed to the courts. See Administrator v. Thrash, NTSB Order No. EA-3403 (1991).

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's request for a stay of Board Order No. EA-3457 is denied.

COUGHLIN, Acting Chairman, LAUBER, KOLSTAD, HART and HAMMERSCHMIDT, Members of the Board, concurred in the above order.