

SERVED: September 29, 1992

NTSB Order No. EA-3685

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 23rd day of September, 1992

THOMAS C. RICHARDS,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-10580
v.)	
)	
DOUGLAS JACKSON COOMBS,)	
)	
Respondent.)	
)	

ORDER DENYING RECONSIDERATION

By NTSB Order No. EA-3609 (served July 10, 1992), the Board affirmed an order of the law judge dismissing, as untimely, respondent's appeal from an order of the Administrator revoking his commercial pilot certificate. Respondent has filed a petition for reconsideration of Order EA-3609 in which he asserts that there is currently pending before the Board a companion case involving similar charges that were dismissed by the law judge.¹

Respondent contends that in the event the Administrator's appeal in that case is denied, he would have "new matter" warranting reconsideration of the charges against him. He therefore urges

¹Administrator v. Patterson, Docket SE-10608. Respondent states that he was the pilot on some of the flights operated by Patterson, who was charged with operating without proper certification.

us to stay our decision in this proceeding until the companion case is decided. We perceive no valid reason to do so.²

Since the possibility, present in any procedural disposition, that respondent might have won his own case had it been diligently pursued did not provide a basis for accepting his appeal out of time, the vindication of another respondent on the merits of similar charges in a companion case would not provide a reason to reconsider the prior dismissal of respondent's case.

ACCORDINGLY, IT IS ORDERED THAT:

The petition for reconsideration is denied.

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

²The Administrator has filed a reply in opposition to the petition.