

SERVED: July 7, 2016

NTSB Order No. EA - 5783

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD  
WASHINGTON, D.C.

Issued under delegated authority (49 C.F.R. § 800.24)  
on the 7<sup>th</sup> day of July, 2016

_____	)	
MICHAEL P. HUERTA,	)	
Administrator,	)	
Federal Aviation Administration,	)	
	)	
Complainant,	)	
	)	
v.	)	Docket SE-19807
	)	
BRIAN T. ROBERTS,	)	
	)	
Respondent.	)	
	)	
_____	)	

**ORDER DISMISSING APPEAL**

On March 24, 2016, respondent filed a notice of appeal from Chief Administrative Law Judge Alfonso J. Montañó’s oral initial decision, issued on March 24, 2016.

The Board’s Rules of Practice require a party to perfect the appeal by filing an appeal brief within 50 days after the oral initial decision is rendered.<sup>1</sup> Under the Board’s Rules of Practice, respondent’s appeal brief was due by May 13, 2016. Respondent filed his appeal brief on June 16, 2016 with the NTSB Office of Administrative Law Judges and again on June 17, 2016 with the NTSB Office of General Counsel.

<sup>1</sup> 49 C.F.R. § 821.48(a).

In accordance with 49 C.F.R. § 800.24(j), the NTSB General Counsel may dismiss late filed notices of appeal and appeal briefs for lack of good cause. Respondent failed to file his appeal brief in a timely manner, and has not provided good cause for the delay.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's appeal is dismissed.



David K. Tochen  
General Counsel