

SERVED: August 10, 1993

NTSB Order No. EA-3958

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

Issued under delegated authority (49 C.F.R. 800.24)
on the 10th day of August, 1993

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JOSEPH M. DEL BALZO)	
Acting Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-11150
v.)	
)	
GERALD P. NYREN,)	
)	
Respondent.)	
)	
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ORDER DISMISSING APPEAL

The Administrator has withdrawn his order of June 4, 1990, suspending respondent Nyren's private pilot certificate. Inasmuch as the case is rendered moot, the Administrator moves the Board to withdraw the complaint and dismiss his appeal from the November 29, 1990 oral initial decision of the Administrative Law Judge. The Administrator's request will be granted.

By delegated order of July 7, 1993, the Board requested additional briefing on issues related to the FAA Civil Penalty Assessment Act of 1992, and invited amicus participation. Filings were scheduled for August 16. As the underlying complaint has been withdrawn, the issues set for briefing have been mooted and no additional filings are required.

ACCORDINGLY, IT IS ORDERED THAT:

The Administrator's appeal is dismissed.

Daniel D. Campbell
General Counsel