

response.

The record establishes that respondent, by counsel, filed a timely notice of appeal from the decisional order the law judge served on June 7, 1996, but he did not file an appeal brief within 30 days after that date; that is, by July 8.²

In the absence of good cause to excuse respondent's failure to file a timely appeal brief, his appeal must be dismissed.³ See Administrator v. Hooper, 6 NTSB 559 (1988).

ACCORDINGLY, IT IS ORDERED THAT:

1. The Administrator's motion to dismiss is granted, and
2. The respondent's appeal is dismissed.

HALL, Chairman, FRANCIS, Vice Chairman, HAMMERSCHMIDT, GOGLIA, and BLACK, Members of the Board, concurred in the above order.

(..continued)

fails to perfect his appeal by filing a timely brief.

²The law judge upheld an order of the Administrator revoking respondent's commercial pilot certificate, and any other airman certificate held by him, pursuant to section 61.15(a)(2) of the Federal Aviation Regulations, 14 CFR Part 61.

³No appeal brief has to date been received from the respondent.