

SERVED: September 18, 2001

NTSB Order No. EA-4911

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

Issued under delegated authority (49 C.F.R. 800.24)
on the 18th day of September, 2001

<hr/>)	
JANE F. GARVEY,)	
Administrator,)	
Federal Aviation Administration,)	
)	
	Complainant,)	
)	
	v.)	
)	
ALI NICKOOII,)	
)	
	Respondent.)	
)	
<hr/>)	

Docket SE-16288

ORDER DISMISSING APPEAL

On June 5, 2001, respondent, by counsel, filed a timely notice of appeal from the oral initial decision Administrative Law Judge William A. Pope, II, rendered in this case on June 4, 2001.¹ However, respondent has not filed an appeal brief and his appeal is therefore subject to dismissal under section

¹The law judge affirmed an emergency order of the Administrator revoking any and all pilot certificates held by respondent, including Commercial Pilot Certificate No. 002595453, for his alleged violation of section 61.37(a)(6) of the Federal Aviation Regulations, 14 CFR Part 61. Respondent had waived application of the Board's rules applicable to emergency proceedings.

821.48(a) of the Board's Rules of Practice.² See 49 CFR Part 821.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's appeal is dismissed.

Ronald S. Battocchi
General Counsel

²Section 821.48(a) provides as follows:

§ 821.48 Briefs and oral argument.

(a) *Appeal briefs.* Each appeal must be perfected within 50 days after an oral initial decision has been rendered, or 30 days after service of a written initial decision, by filing with the Board and serving on the other party a brief in support of the appeal. Appeals may be dismissed by the Board on its own initiative or on motion of the other party, in cases where a party who has filed a notice of appeal fails to perfect his appeal by filing a timely brief.