

SERVED: May 29, 2007

NTSB Order No. EA-5286

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

Issued under delegated authority (49 C.F.R. 800.24)  
on the 29th day of May, 2007

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MARION C. BLAKEY,		)	
Administrator,		)	
Federal Aviation Administration,		)	
		)	
Complainant,		)	
		)	Docket SE-18008
v.		)	
		)	
CHARLES C. GABBARD,		)	
		)	
Respondent.		)	
		)	
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**ORDER DENYING MOTION TO AUGMENT RECORD OF APPEAL**

Respondent, proceeding pro se, has filed a motion to submit additional evidence in support of his appeal. The Board is currently reviewing respondent's appeal under the provisions of 49 U.S.C. § 44709(e)(2), which provides that, where safety in air commerce or air transportation requires immediate effectiveness of an order, such order may become instantly operative. The Board's regulations at 49 C.F.R. §§ 821.52-821.57 govern appeals of such "emergency" orders, and do not allow parties to supplement their arguments or the evidence in the record via motion after the deadlines for briefs have expired.

**ACCORDINGLY, IT IS ORDERED THAT:**

Respondent's Motion to Augment Record of Appeal regarding NTSB Docket No. SE-18008 is denied.

Gary L. Halbert  
General Counsel