

SERVED: November 22, 2011

NTSB Order No. EA-5603

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

Issued under delegated authority (49 C.F.R. § 800.24)
on the 22th day of November, 2011

_____)
Petition of)
)
BRIAN EARL SPAULDING,)
)
)
For review of the denial by the) Docket SM-5164
Administrator of the Federal Aviation)
Administration of the issuance of an)
Airman Medical Certificate)
)
_____)

ORDER DISMISSING APPEAL

On September 28, 2011, petitioner filed a notice of appeal from the law judge's written order dismissing his appeal, issued on September 19, 2011.

The Board's Rules of Practice require a notice of appeal be filed within 10 days after the written order, and must be perfected by an appeal brief filed within 30 days after the written order.¹ Petitioner's brief was due on October 19, 2011, however, as of this date, no brief has been filed. On November 1, 2011, the Administrator filed a motion to dismiss the appeal. Petitioner has provided no response to the motion to dismiss.

¹ 49 C.F.R. §§ 821.47(a) and 821.48(a).

ACCORDINGLY, IT IS ORDERED THAT:

Petitioner's appeal is dismissed.

David K. Tochen
General Counsel