

the law judge nor the Appellate Docket Clerk could perform this function for him.

Assuming that Respondent intended to file an appeal with the Administrator under 14 C.F.R. § 13.233(a), Respondent's notice of appeal was late,^{2/} and Respondent has not shown that good cause exists for excusing his tardiness. Consequently, if indeed Respondent intended this correspondence as a notice of appeal, it is dismissed.^{3/}



BARRY LAMBERT HARRIS
Acting Administrator
Federal Aviation Administration

Issued this 30th day of January, 1992.

^{2/} Section 13.233(a) of the Rules of Practice, 14 C.F.R. § 13.233(a), provides in pertinent part as follows: "[a] party shall file the notice of appeal not later than 10 days after entry of the oral initial decision on the record . . ."

^{3/} Respondent is advised that if he has not yet paid the \$100 civil penalty, he is in non-compliance with the Amended Order of Civil Penalty.