

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

In the Matter of:

GORDON AIR SERVICES

FAA Order No. 97-35

Served: October 29, 1997

Docket No. CP96SO0160

ORDER DISMISSING APPEAL

On February 7, 1997, Respondent Gordon Air Services (Respondent) filed a document titled "Motion for Rehearing/Reconsideration," which the law judge construed as a notice of appeal from the initial decision assessing Respondent a \$3,600 civil penalty, payable in \$100 monthly installments. Respondent requested two extensions of time to file its appeal brief, both of which the Administrator granted. Subsequently, Respondent's counsel moved to withdraw, explaining that differences had arisen between him and his client and that Respondent had failed to pay him. Acting Administrator Barry Valentine granted counsel leave to withdraw; he also granted Respondent 30 additional days to file its appeal brief, either on its own or through new counsel, noting that no further extensions of time would be granted. In the Matter of Gordon Air Services, FAA Order No. 97-24 (July 1, 1997). Respondent still failed to file an appeal brief. Accordingly, Respondent's appeal is subject to dismissal under 14 C.F.R. § 13.233(d)(2) (providing that the Administrator may dismiss an appeal where a party has failed to perfect its appeal by filing an appeal brief).

THEREFORE, IT IS ORDERED THAT: Respondent's appeal is dismissed.

JANE F. GARVEY, ADMINISTRATOR
Federal Aviation Administration



VICKI S. LEEMON¹
Manager, Adjudication Branch

Issued this 29th day of October, 1997.

¹ Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202 (see 57 Fed. Reg. 58,280 (1992)) and redelegated by the Assistant Chief Counsel for Litigation to the Manager, Adjudication Branch, by Memorandum dated August 6, 1993.