

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

In the Matter of: UNITED PARCEL SERVICE

FAA Order No. 2008-14

Docket No. CP08SO0007
FDMS No. FAA-2008-0384¹

Served: December 29, 2008

ORDER DISMISSING APPEAL²

On November 13, 2008, Administrative Law Judge Isaac D. Benkin issued a written initial decision, assessing a \$5,000 civil penalty against Respondent United Parcel Service (UPS) for violations of C.F.R. § 119.5(l) and 121.153(a)(2). UPS filed a notice of appeal but withdrew that notice on December 22, 2008.

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

ROBERT A. STURGELL
ACTING ADMINISTRATOR
Federal Aviation Administration

[Original signed by Vicki S. Leemon]

VICKI S. LEEMON³
Manager, Adjudication Branch, AGC-430

¹ Materials filed in the FAA Hearing Docket (except for materials filed in security cases) are also available for viewing at <http://www.regulations.gov>. For additional information, see <http://dms.dot.gov>.

² The Administrator's civil penalty decisions, along with indexes of the decisions, the rules of practice, and other information, are available on the Internet at the following address: http://faa.gov/about/office_org/headquarters_offices/agc/pol_adjudication/AGC400/Civil_Penalty. In addition, Thompson/West publishes Federal Aviation Decisions. Finally, the decisions are available through LEXIS (TRAN library) and WestLaw (FTRAN-FAA database). For additional information, see the website.

³ 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.