

NTSB Order No.
EM-2

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

Adopted by the National Transportation Safety Board
at its office in Washington, D. C.,
on the 4th day of December, 1968.

WILLARD J. SMITH, Commandant of the United States Coast Guard

vs.

JAMES D. PETERS

Docket ME-4

ORDER

Counsel for the Commandant has filed a motion with the Board requesting that the instant appeal be dismissed because the appellant has failed to perfect his appeal in accordance with the requirements of Sections 425.20(a) and 425.30(a) of the Board's rules.¹ Counsel for the appellant has not filed an answer to the motion.

From our review of the record, it appears that, although the appellant filed a notice of appeal on April 26, 1968, he has failed to perfect his appeal by filing a brief, despite having been given several opportunities to do so. It, therefore, is manifest that the appellant has no intention of either complying with Section 425.20 of our rules, or prosecuting his appeal.

ACCORDINGLY, IT IS ORDERED THAT: The instant appeal from the order of the Commandant of the U. S. Coast Guard be and it is hereby dismissed.

¹§425.20 Briefs or memoranda in support of appeal. (a) Within 20 days after the filing of a notice of appeal, the appellant must file, in the same manner as prescribed for the notice in §425.5, a brief or memorandum in support of the appeal.

§425.30 Action by the Board. (a) If timely action to perfect an appeal under §425.20 is not taken by an appellant, the Board will, on its own motion or on motion of the Coast Guard, dismiss the appeal.

By the National Transportation Safety Board:

JOSEPH J. O'CONNELL, JR.
Chairman

(SEAL)