

NTSB Order No.  
EM-170  
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 9th day of February, 1993  
J. W. KIME, Commandant, United States Coast Guard,  
v.  
RICHARD L. SMALLWOOD, Appellant.  
Docket ME-153  
ORDER DENYING RECONSIDERATION

On consideration of the seaman's petition for reconsideration of Board Order EM-167 (served November 5, 1992) and the Commandant's response in opposition, we have concluded that the petition neither establishes error in our original decision nor otherwise presents a valid basis for reconsidering the judgment that the seaman's appeal should be dismissed for his failure to file a timely notice of appeal.

**ACCORDINGLY, IT IS ORDERED THAT:**

The petition for reconsideration is denied.

VOGT, Chairman, COUGHLIN, Vice Chairman, LAUBER, HART, and HAMMERSCHMIDT, Members of the Board, concurred in the above order.