

NTSB Order No.  
EM-180  
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 27th day of October, 1995

ROBERT E. KRAMEK, Commandant, United States Coast Guard,

v.

RICHARD W. CLIFTON, Appellant

Docket ME-159

ORDER DISMISSING APPEAL

The Commandant has moved to dismiss the appeal filed in this proceeding on the ground that the appellant has failed to perfect his appeal by the timely filing of an appeal brief, as required by section 825.20(e) of the Board's Rules of Procedure for Merchant Marine Appeals.(1) See 49 CFR Part 825.

The motion asserts in this connection that appellant's brief was due for

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(1) Section 825.20(e) provides as follows:

"# 825.20 Briefs in support of appeal.

\* \* \* \*

(e) If a party who has filed a notice of appeal does not perfect the appeal by the timely filing of an appeal brief, the Board may dismiss the appeal on its own initiative or on motion of the Coast Guard."

filing on April 6, 1995, following a 30-day extension from its original due date.(2) No answer to the motion has been received.

As it appears that appellant's appeal is subject to dismissal under the Board's rules and no reason appears for not granting the Commandant's motion, the appeal will be dismissed.(3)

ACCORDINGLY, IT IS ORDERED THAT:

The appeal in Docket ME-159 is dismissed.

HALL, Chairman, FRANCIS, Vice Chairman, HAMMERSCHMIDT and GOGLIA, Members of the Board, concurred in the above order.

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(2) The appellant's notice of appeal was filed on February 15, 1995.

(3) The appeal was taken from a January 27, 1995 decision of the Commandant affirming a law judge's revocation of appellant's merchant mariner's document on a charge of "Use of a Dangerous Drug."