

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TECHFREEDOM,

Petitioner,

v.

FEDERAL AVIATION ADMINISTRATION,

Respondent.

Case No. 16-1062

**PETITIONER TECHFREEDOM'S MOTION FOR
VOLUNTARY DISMISSAL OF PETITION**

Petitioner TechFreedom hereby moves the Court, pursuant to Fed. R. App. P. 42(b) and D.C. Circuit Rule 27(g), to dismiss its petition for review of the interim final rule issued by the Federal Aviation Administration (“FAA”) setting forth registration and marking requirements for small unmanned aircraft, 80 Fed. Reg. 78593 (Dec. 16, 2015). In support of this motion, TechFreedom states as follows:

1. The interim final rule issued by the FAA setting forth registration and marking requirements for small unmanned aircraft was published in the Federal Register on December 16, 2015, starting the

sixty-day clock for any affected party to file a petition for review, pursuant to 49 U.S.C. § 46110(a) and Fed. R. App. P. 26(a)(1).

2. On February 16, 2016, sixty days after publication in the Federal Register, TechFreedom completed its work on a petition for review of the FAA's interim final rule, 80 Fed. Reg. 78593 (Dec. 16, 2015). With the signed petition in hand, TechFreedom's agent went to deliver the document to this Court's 24-hour drop box.

3. Following unexpected difficulties, both technical and procedural, the petition for review was not filed until 12:49 AM on February 17, 2016.

4. On February 24, 2016, the FAA moved to dismiss TechFreedom's petition for review as being untimely.

5. Rather than seeking to demonstrate reasonable grounds for its failure to timely file its petition for review, TechFreedom reached out to the other parties in this case and offered to voluntarily dismiss its petition for review.

6. On February 26, 2016, and March 3, 2016, TechFreedom obtained consent from John A. Taylor, representing himself, and Abby C. Wright, an attorney from the Department of Justice representing the

FAA, to file an *amicus curiae* brief in this case pursuant to Fed. R. App. P. 29(a) and D.C. Circuit Rule 29(b).

Accordingly, TechFreedom moves to voluntarily dismiss its petition for review of the FAA's interim final rule. TechFreedom requests that the Court grant the voluntary dismissal of its petition with each side to bear its own costs.

Dated: March 8, 2016

Respectfully submitted,



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CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rule 26.1, TechFreedom has no parent corporation and no publicly-held corporation owns 10 percent or more of its stock.

Dated: March 8, 2016

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that, on March 8, 2016, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system, which served a copy of the document on all counsel of record in the case.

Dated: March 8, 2016

Respectfully submitted,



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