

In the Matter of Certificate of Service No. E-5864
Issued to: WALTER R. QUINN

DECISION AND FINAL ORDER OF THE COMMANDANT
UNITED STATES COAST GUARD

469

WALTER R. QUINN

This appeal comes before me by virtue of Title 46 United States Code 239(g) and 46 Code of Federal Regulations Sec. 137.11-1.

On 25 August, 1950, an Examiner of the United States Coast Guard at New York City revoked Certificate of Service No. E-5864 issued to Walter R. Quinn upon finding him guilty of "misconduct" based upon one specification alleging in substance, that while serving as Deck Steward on the American SS URUGUAY, under authority of the document above described, on or about 23 January, 1950, while said vessel was in a domestic port, he wrongfully had in his possession a certain narcotic substance, to wit: marijuana.

At the hearing, Appellant was given a full explanation of the nature of the proceedings and the possible consequences. He was represented by counsel of his own selection, who entered a plea of "guilty" to the charge and specification.

Thereupon, the Investigating Officer informed the Examiner of the facts attending discovery of the marijuana in Appellant's possession.

In defense, Appellant's counsel explained the circumstances under which the marijuana was received by Appellant in a foreign port; outlined Appellant's excellent work record and good reputation; and urged that an admonition only be entered.

At the conclusion of the hearing, having heard the statements of the Investigating Officer and Appellant, the Examiner found the charge "proved" by plea and entered an order revoking Certificate of Service No. E-5864, and all other valid licenses, documents, certificates, and endorsements, issued to Appellant.

From that Order an appeal has been taken, couched in most general terms, without specification of any ground or error. In view of the appeal's generality, for the purpose of this decision, I have considered each of the points presented by counsel before the Examiner.

Appearance: Martin Benjamin of New York City, for Appellant

FINDINGS OF FACT

No facts are controverted or denied. Appellant was serving as Deck Steward on the American SS URUGUAY, in port at New York, New York, when, on 23 January, 1950, a Customs Officer discovered cigarettes in the pockets of Appellant's clothing which were found to contain marijuana.

Appellant explains that the cigarettes were given to him at Buenos Aires; and he had failed to dispose of them before discovery in New York.

OPINION

The comments of the Examiner as set forth in the Record and his Order are substantially my own; and no reason appears for reiteration here.

CONCLUSION

I find no good reason presented in the Record or by this appeal for my intervention.

ORDER

The Order of the Examiner, dated New York, New York, on 25
August, 1950, is *AFFIRMED.*

Merlin O'Neill
Vice Admiral, United States Coast Guard
Commandant

Dated at Washington, D. C., this *4th* day of *October*, 1950.

***** END OF DECISION NO. 469 *****

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