

In the Matter of Merchant Mariner's Document No. Z-521514
Issued to: NICOLO ZEVERINO

DECISION AND FINAL ORDER OF THE COMMANDANT
UNITED STATES COAST GUARD

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NICOLO ZEVERINO

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

On 4 February, 1949, this Appellant was tried before an Examiner of the United States Coast Guard at New York on a charge of misconduct supported by a specification alleging that while he was serving as Second Electrician on board the American SS ROBIN HOOD under authority of a duly issued Merchant Mariner's Document (Z-521514) he had in his possession, contrary to law, on or about 21 January, 1949, a quantity of narcotics, to wit, 134 grains net of marijuana.

Voluntarily waiving his right to representation by counsel, Appellant entered a plea of "guilty" to the charge and specification, and after hearing the explanation offered by Appellant, the Examiner entered an order suspending said Merchant Mariner's Document and all other valid certificates and documents held by Appellant for a period of three years, of which the first year shall be an outright suspension and the last two years shall be subject to two years' probation from 4 February, 1950.

This appeal is in effect a plea for clemency because of the hardship which will affect Appellant's mother and himself unless he is permitted to resume employment at sea. Reiterating a realization wrong-doing, because it is his first offense, he asks modification of the suspension order.

OPINION

While it is unfortunate that an innocent person may suffer because of Appellant's misconduct, the time to evaluate the effect of an act is before, not after, its commission. In view of Appellant's own admissions, and my frequently stated position respecting the undesirability of persons as merchant seamen who are addicted to or traffic in narcotics,

CONCLUSION AND ORDER

The order of the Examiner dated 4 February, 1949, should be, and it is, AFFIRMED.

J.F. FARLEY
Admiral, United States Coast Guard
Commandant

Dated at Washington, D. C., this 11th day of April, 1949.