

In the Matter of Merchant Mariner's Document No. DZ-589723 and all
Issued to: Nicholas Gonzalez Abreu

DECISION AND FINAL ORDER OF THE COMMENDANT
UNITED STATES COAST GUARD

1116

Nicholas Gonzalez Abreu

A notice of appeal has been submitted as a result of action taken at a hearing conducted under 46 U. S. Code 2396 by a Coast Guard Examiner at New York, New York.

By order dated 8 January 1959, the Examiner revoked Appellant's seaman documents upon finding him guilty of the charge of "conviction for a narcotic drug law violation." The specification alleges that, on or about 27 November 1956, Appellant was convicted by the Court of Special Sessions of the City of New York, County of New York, a court of record, for a violation of the narcotic drug laws of the State of New York (unlawful possession of a hypodermic syringe and needle).

A plea of not guilty was entered to the charge and specification. The Investigating Officer introduced documentary evidence of the conviction alleged. Appellant did not testify or submit other evidence. The Examiner concluded that the charge and specification had been proved. He then entered the order revoking all documents issued to Appellant.

No grounds for appeal have been submitted. Appellant merely states that he appeals "for a hearing" in this matter. The hearing before the Examiner has been completed and further agency action is limited to this appeal to the Commandant.

The alleged conviction has been proved. Therefore, the decision of the Examiner, including the order, is affirmed on the authority of Commandant's Appeal Decision No. 1080 which states, in part, that the Court of Special Sessions of the City of New York is a court of record for the purpose 46 U. S. Code 239b.

ORDER

The order of the Examiner dated at New York, New York, on 8 January 1959, is **AFFIRMED**.

A. C. Richmond
Vice Admiral, United States Coast Guard
Commandant

Dated at Washington, D. C., this 2nd day of October, 1959.

