

In the Matter of Merchant Mariner's Document Z-472753-D4 and all other Seaman Documents

Issued to: MURRAY WILLIAM SMITH

DECISION AND FINAL ORDER OF THE COMMANDANT
UNITED STATES COAST GUARD

1240

MURRAY WILLIAM SMITH

This appeal has been taken in accordance with Title 46 United States Code 239(g) and Title 46 Code of Federal Regulations 137.11-19

By order dated 23 June 1960, an Examiner of the United States Coast GUARD at New Orleans, Louisiana, suspended Appellant's seaman documents for two months outright plus three months on twelve months' probation. Based on a charge of misconduct, five specifications were found proved on Appellant's pleas of guilty to all of them. The specifications allege that while serving as a messman on board the United States SS DEL SANTOS under authority of the document above described, between 4 April and 21 June 1960, Appellant failed to obey a lawful order of the Master, he created a disturbance and failed to perform his duties to intoxication on five dates.

Appellant's prior record consists of a one-month suspension in 1945 for failure to join his ship and admonition in 1957 for failure to perform his duties due to intoxication.

OPINION

The sole ground for appeal is that the suspension is too severe. In view of the numerous offenses committed during the course of a two and a half month's foreign voyage, I do not agree with this contention. There is nothing in the record which indicates that mitigation of the order is advisable.

ORDER

The order for the Examiner dated at New Orleans, Louisiana, on 23 June 1960, is AFFIRMED.

J. A. Hirshfield
Vice Admiral, U.S. Coast Guard
Acting Commandant

Signed at Washington, D.C., this 24th day of May 1961.

