

In the Matter of Merchant Mariner's Document No.Z-323425-D3 and all
other Seaman Documents
Issued to: Lynn T. Mullin

DECISION OF THE COMMANDANT
UNITED STATES COAST GUARD

1310

LYNN T. MULLIN

This appeal has been taken in accordance with Title 46 United States Code 239(g) and Title 46 of Federal Regulations 137.11-1.

By order dated 23 May 1961, an Examiner of the United States Coast Guard at Seattle, Washington suspended Appellant's seaman documents for six months on nine months' probation upon finding him guilty of misconduct. The specifications found proved allege that while serving as a fireman-watertender on board the United States SS CAPE HENRY under the authority of the document above described, Appellant failed to perform his duties on 2 February and 20 April 1961; he created a disturbance, on 25 April 1961, which delayed the ship's departure from a foreign port.

At the hearing, Appellant voluntarily elected to be his own counsel. Since Appellant entered a plea of guilty to the charge and each specification, no evidence was introduced by the Investigating Officer. Appellant has no prior record.

On appeal, Appeal, Appellant contends that he missed watch on 2 February due to an injury received the day before through negligence of others.

OPINION

Appellant's plea of guilty at the hearing precludes present consideration of his unsupported claim that his failure to stand watch was not his fault. Appellant not only failed to contest this offense at the hearing but he stated, after the Examiner's order was announced, that he felt he had been afforded a very fair and impartial hearing.

ORDER

The order of the Examiner dated at Seattle, Washington, on 23 May 1961, is AFFIRMED.

A. C. Richmond

Admiral, United States Coast Guard
Commandant

Signed at Washington, D. C., this 8th day of May 1962.