

IN THE MATTER OF MERCHANT MARINER'S DOCUMENT NO.Z1054446-D2
AND ALL OTHER SEAMAN'S DOCUMENTS
Issued to: George G. HUNTER

DECISION OF THE COMMANDANT
UNITED STATES COAST GUARD

1801

George G. HUNTER

This appeal has been taken in accordance with Title 46 United States Code 239 (g) and Title 46 Code of Federal Regulations 137.30-1.

By order dated 24 June 1969, and Examiner of the United States Coast Guard at New Orleans, Louisiana, suspended Appellant's seaman's document of four months upon finding him guilty of misconduct. The specification found proved allege that while serving as a Wiper on board SS SUE LYKES under authority of the document above captioned, Appellant:

- (1) On 14 April 1969, at a foreign port, wrongfully had intoxicating liquor in his possession;
- (2) on 24 April 1969, at a foreign port, wrongfully had intoxicating liquor in his possession; and
- (3) on 24 April 1969, at a foreign port, failed to perform duties because of intoxication.

Appellant did not appear at the hearing. The Examiner entered a plea of not guilty to the charge and each specification.

The Investigating Officer introduced in evidence voyage records of SUE LYKES.

At the end of the hearing, the Examiner rendered a decision in which he concluded that the charge and specifications had been proved. The Examiner then entered an order suspending all document issued to Appellant for a period of four months.

The entire decision was served on 7 July 1969. Appeal was timely filed on 28 July 1969.

FINDINGS OF FACT

On 14 and 24 April 1969, Appellant was serving as a wiper on board SS SUE LYKES and acting under authority of his document.

On 14 April 1969, at Bremerhaven, Germany, Appellant, without authority, had intoxicating liquor in his room aboard the vessel.

On 24 April 1969, Appellant failed to perform duties because of intoxication at Rotterdam, the Netherlands, and again had intoxicating liquor in his room aboard the vessel.

BASES OF APPEAL

This appeal has been taken from the order imposed by the Examiner. It is urged that the order is too severe.

APPEARANCE: Appellant, pro se.

OPINION

Appellant's prior record is lengthy:

- (1) 6 August 1957, Seattle, Washington, warned for failure to perform duties, SS TRANSATLANTIC;
- (2) 27 December 1960; Rotterdam, warned for failure to perform duties and failure to join SS MARGARET BROWN;
- (3) 8 December 1961, Houston, Texas, warned for failure to join SS ALCOA PIONEER;
- (4) 5 June 1963; Baltimore, Maryland,, warned for failure to join SS MAIDEN CREEK;
- (5) 12 June 1966, Corpus Christi, Texas, warned for unauthorized absence from SS CANTIGNY;
- (6) 27 december 1966, Houston, Texas, warned for five days' unauthorized absence from SS KINGS POINT; and
- (7) 7 October 1968, New Orleans, Louisiana, warned for refusing to obey a lawful order and failure to perform duties aboard SS TRANS HUDSON.

With an extensive record like this, it cannot be said that the suspension ordered by the Examiner for the three offenses found in this case is too severe.

ORDER

The order of the Examiner dated at New Orleans, Louisiana, on 24 June 1969, is AFFIRMED.

C.R. BENDER
Admiral, United States Coast Guard
Commandant

Signed at Washington, D.C., this 26th day of June 1970

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Examiner's order

Held appropriate in view of prior record

Prior record

Held justifying suspension