

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD**

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**UNITED STATES COAST GUARD,**

**Complainant,**

**vs.**

**KER HER,**

**Respondent.**

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**Docket Number 2024-0086  
Enforcement Activity Number 7861155**

**ADMISSION ORDER**

**Issued: February 15, 2024**

**By Administrative Law Judge: Honorable Timothy G. Stueve**

**Appearances:**

**LDCR Lisa Fanning  
USCG Sector Honolulu  
For the Coast Guard**

**KER HER, *Pro se*  
For the Respondent**

## **ADMISSION ORDER**

On February 8, 2024, the United States Coast Guard (Coast Guard) issued a Complaint against Ker Her (Respondent) alleging Respondent committed misconduct while acting under the authority of Respondent's Merchant Mariner Credential (MMC) as Crew Member aboard the vessel PRIDE OF AMERICA, as required by law or regulation.

Specifically, in its Complaint the Coast Guard alleges, on February 1, 2024, Respondent violated NCL, PRIDE OF AMERICA's Drug and Alcohol Policy by being intoxicated with a blood alcohol level (BAC) greater than .04% while onboard the vessel PRIDE OF AMERICA. The Coast Guard's complaint further alleges Respondent's violation of NCL, PRIDE OF AMERICA's Drug and Alcohol policy is Misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27. The Coast Guard also alleges, on February 1, 2024, Respondent was wrongfully absent from the vessel PRIDE OF AMERICA without authorized leave. The Coast Guard's complaint further alleges Respondent's absence without authorized leave is Misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27. . The Coast Guard proposes a sanction of six (6) months outright suspension of Respondent's MMC.

In Respondent's Answer, dated February 8, 2024, Respondent admits to all jurisdictional and factual allegations, and agrees with the proposed sanction.

**WHEREFORE,**

## **ORDER**

**IT IS HEREBY ORDERED**, Respondent's misconduct under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

**IT IS FURTHER ORDERED,** Respondent's Merchant Mariner Credential is  
**SUSPENDED OUTRIGHT FOR SIX (6) MONTHS**, commencing the date it was deposited  
with the Coast Guard.



Done and dated February 15, 2024  
Alameda, CA

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Honorable Timothy G. Stueve  
Administrative Law Judge  
U.S. Coast Guard