

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

UNITED STATES COAST GUARD,)	
Complainant,)	
)	Docket Number: 2024-0112
vs.)	
)	Enforcement Activity Number: 7864944
THOMAS DAVID STRALKA II,)	
Respondent.)	

ADMISSION ORDER

Issued: March 29, 2024

By Order of Chief Administrative Law Judge: Hon. Walter J. Brudzinski

Appearances:

For the Coast Guard

LT Megan Mahoney
USCG Sector Southeastern New England

For the Respondent

Thomas David Stralka II, *Pro se*

DECISION AND ORDER

On March 6, 2024, the United States Coast Guard Sector Southeastern New England (Coast Guard) issued a Complaint against Thomas David Stralka II (Respondent) for a violation of regulation under 46 U.S.C. § 7703(1)(A) and 46 C.F.R. § 5.33.

Specifically, the Coast Guard alleges Respondent was a crewmember operating the EARL W REDD (O.N. 1273621), a United States flagged vessel inspected under 46 U.S.C. Chapter 33, on January 9, 2024. While onboard, Respondent appeared intoxicated, exhibiting delayed reactions, slurred speech, and an odor of alcohol. Based on this observation, Respondent underwent a reasonable cause chemical test resulting in a 0.321 blood alcohol concentration level, in violation of 33 C.F.R. § 95.020(b). Respondent was under the influence of alcohol as defined by 33 C.F.R. § 95.010, while aboard the EARL W REDD, in violation of 33 C.F.R. § 95.045(b). Respondent's violation of 33 C.F.R. § 95.045(b) is a violation of regulation as described by 46 U.S.C. § 7703(1)(A) and defined by 46 C.F.R. § 5.33.

The Coast Guard further states, in aggravation, the Master found two crushed bottles in Respondent's stateroom which contained an odor of alcohol. Therefore, the Coast Guard proposed a sanction of six (6) months outright suspension of Respondent's Merchant Mariner Credential (MMC).

In Respondent's Answer, dated March 26, 2024, he admits to all jurisdictional and factual allegations, and agrees with the Coast Guard's proposed sanction.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED that Respondent's violation of regulation under 46 U.S.C. § 7703(1)(A) and 46 C.F.R. § 5.33 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 that Respondent's Merchant Mariner Credential is **SUSPENDED OUTRIGHT FOR SIX (6) MONTHS**, commencing on the date it is deposited with the Coast Guard.

Done and dated March 29, 2024
New York, NY



HON. WALTER J. BRUDZINSKI
CHIEF ADMINISTRATIVE LAW JUDGE
UNITED STATES COAST GUARD