

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

UNITED STATES COAST GUARD,	)	
Complainant,	)	
	)	Docket Number: 2025-0079
vs.	)	
	)	MISLE Activity ID: 8032063
NICHOLE LASHAWN WARE,	)	
Respondent.	)	

**ADMISSION ORDER**

**Issued:** June 3, 2025

**By Order of Administrative Law Judge:** Hon. Jennifer A. Mehaffey

**Appearances:**

**For the Coast Guard**

LT Edward Joseph Wright  
USCG Sector Miami

**For the Respondent**

Nichole Lashawn Ware, *Pro se*

On or about March 11, 2025, Coast Guard Sector Miami (Coast Guard) filed a Complaint against Nichole Lashawn Ware (Respondent) alleging one count of misconduct as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27.<sup>1</sup>

In the Complaint the Coast Guard alleges Respondent acted under the authority of her Merchant Mariner Credential (MMC) by serving as a waiter aboard the PRIDE OF AMERICA as required by law or regulation. The Coast Guard further alleges:

1. On October 18, 2024, Respondent was employed by NCL, PRIDE OF AMERICA and subject to NCL (Bahamas) LTD. Policies.
2. On October 18, 2024, NCL, PRIDE OF AMERICA had a policy prohibiting employees from being intoxicated onboard the PRIDE OF AMERICA with a blood alcohol concentration (BAC) greater than 0.04%.
3. On October 18, 2024, Respondent was intoxicated with a BAC greater than 0.04% while onboard the PRIDE OF AMERICA, in violation of NCL, PRIDE OF AMERICA's Drug and Alcohol policy.
4. 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 CFR § 5.27.

Based on these facts, the Coast Guard proposes a sanction of three (3) months of outright suspension of Respondent's MMC.

In Respondent's Answer, dated April 15, 2025, she admits to all jurisdictional and factual allegations, and agrees with the proposed sanction.<sup>2</sup>

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<sup>1</sup> The Coast Guard dated the Complaint and the Certificate of Service for the Complaint as March 19, 2025, but it was not filed with the Coast Guard ALJ Docketing Center until March 24, 2025. I find the difference in the dates to be de minimis and it does not affect my decision to issue the Admission Order.

<sup>2</sup> The Certificate of Service of Respondent's Answer certifies she filed the document with Coast Guard Sector Miami by mail on April 15, 2025. There is no certification the document was filed with the Coast Guard ALJ

Upon consideration of the record, I hereby find that the allegations in the Complaint are **PROVED BY ANSWER**. I find that on October 18, 2024, Respondent committed an act of misconduct as described by 46 U.S.C. § 7703(l)(B) and defined by 46 C.F.R. § 5.27.

### **SANCTION**

I have carefully reviewed the Complaint and Answer and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

**WHEREFORE,**

### **ORDER**

**IT IS HEREBY ORDERED** that Respondent's misconduct as described by 46 U.S.C. § 7703(l)(B) and defined by 46 C.F.R. § 5.27 is **PROVED BY ANSWER**.

**IT IS FURTHER ORDERED** that Respondent's Merchant Mariner Credential is **SUSPENDED OUTRIGHT FOR THREE (3) MONTHS**, commencing on the date Respondent deposits her credential with the Coast Guard.

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Docketing Center (Docketing Center). However, the docket record shows Respondent had called the Docketing Center to request an extension to file her Answer, which was granted. Respondent's Answer was then filed with the Docketing Center on May 5, 2025. Because the parties have not raised any issue regarding proper filing of Respondent's Answer, I provide this footnote only for completeness of the administrative record. The difference in filing dates and the lack of Respondent's certification of filing her Answer with the Docket Center do not affect my decision to issue the Admission Order.

**PLEASE TAKE NOTICE**, service of this decision on the parties and/or parties' representative(s) serves as notice of appeal rights set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated June 3, 2025  
New York, NY

A handwritten signature in black ink, appearing to read "J. MehaFFEY", is written over a faint, light blue circular stamp. The signature is fluid and cursive.

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HON. JENNIFER A. MEHAFFEY  
Administrative Law Judge  
United States Coast Guard