

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

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**UNITED STATES COAST GUARD,**

Complainant,

vs.

**ALAN SELDON,**

Respondent.

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Docket Number 2023-0043  
Enforcement Activity No. 7633371

**ADMISSION ORDER**

**Issued: February 9, 2023**

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

**Appearances:**

**William Taylor  
Sector Honolulu**

**For the Coast Guard**

**Alan Seldon, pro se**

**For Respondent**

On or about February 8, 2023, the United States Coast Guard (USCG or Coast Guard), filed a Complaint against Alan Seldon (Respondent) alleging one count of violation of misconduct under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27.

In the Complaint, the Coast Guard alleges:

1. On January 29, 2023, Respondent was employed by NCL, PRIDE OF AMERICA, and subject to their policies.
2. On January 29, 2023, NCL, PRIDE OF AMERICA had a policy prohibiting employees being onboard the vessel with a blood alcohol level (BAC) above 0.04.
3. On January 29, 2023, Respondent failed an alcohol breath test with a reading of 0.256, in violation of NCL, PRIDE OF AMERICA'S drug and alcohol policy.
4. Respondent's failed breath alcohol test raises the presumption of misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27.

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

On or about February 8, 2023, Respondent filed his Answer, admitting to all jurisdictional and factual allegations as stated in the Complaint. Respondent also agreed to the proposed order of three (3) months outright suspension, with no additional conditions stipulated.

Upon consideration of the record, I hereby FIND that the allegations in the Complaint are **PROVED BY ANSWER**. I find that on January 29, 2023, Respondent committed an act of misconduct, as described by 46 U.S.C § 7703(1)(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.

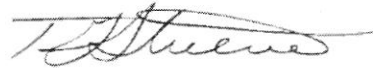
**WHEREFORE,**

**ORDER**

**IT IS HEREBY ORDERED**, Respondent's Coast Guard issued MMC is suspended outright for three (3) months, commencing on the date Respondent's MMC is deposited with USCG Sector Honolulu.

**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 February 9, 2023, at Alameda, California



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