

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

UNITED STATES COAST GUARD,

Complainant,

vs.

KEYTHAN HEATER,

Respondent.

**Docket Number 2023-0449
Enforcement Activity Number 7834227**

ADMISSION ORDER

Issued: December 27, 2023

By Administrative Law Judge: Honorable Timothy G. Stueve

Appearances:

**CWO JOSEPH D. TENORIO
USCG Sector Honolulu
For the Coast Guard**

**KEYTHAN HEATER, *Pro se*
For the Respondent**

ADMISSION ORDER

On December 8, 2023, the United States Coast Guard Sector Honolulu (Coast Guard) issued a Complaint against Keythan Heater (Respondent) alleging Respondent committed misconduct while acting under the authority of his 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 December 4, 2023, 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. In aggravation, the Coast Guard's complaint alleges Respondent was on duty when found with a BAC over .04%. The Coast Guard proposes a sanction of four (4) months outright suspension of Respondent's MMC.

In Respondent's Answer, dated December 8, 2023, he 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 FOUR (4) MONTHS**, commencing the date it was deposited with the Coast Guard.