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In the Matter of Merchant Mariner's Document No. Z-408758 and all
                    other Seaman Documents
          Issued to: ANGELO PHILLIPS

            DECISION OF THE COMMANDANT
            UNITED STATES COAST GUARD

                        1089

                   ANGELO PHILLIPS

     This appeal has been taken in accordance with title 46 United
States Code 239b and Title 46 Code of Federal Regulations 137.11-1.

     By order dated 30 June 1958, and Examiner of the United States
Coast Guard at New York, New York revoked Appellant's seaman
documents upon finding him guilty of the charge of "conviction for
a narcotic drug law violation." The specification alleges that on
or about 10 July 1956, Appellant was convicted by the Superior
Court of New Jersey for Hudson County (Law Division - Criminal), a
court of record, for a violation of the narcotic drug laws of the
State of New Jersey (possession and control of marijuana
cigarettes). The conviction was alleged was proved by the evidence
is addition to Appellant's plea of guilty. The date of conviction
was on 10 July when the judgment of the court was entered rather
than on 16 June when Appellant pleaded no vult (nolo contendere) to
the indictment. See Commandant's Appeal Decision No. 954.

     On appeal, Appellant urges that no moral turpitude was
involved; Appellant was punished and certified as rehabilitated by
the New Jersey authorities; the order of revocation is excessive.
These contentions have no bearing in this administrative proceeding

because 46 U.S.C. 239b(b)(1) requires the revocation of a seaman's documents upon proof of his conviction by a court of record for violation of a narcotic drug law of any State of the United States. Hence, this conviction is conclusive for the purpose of the action taken herein.

ORDER

The order of the Examiner dated at New York, New York, on 30 June 1958, is   AFFIRMED.

A. C. Richmond
Vice Admiral, U.S. Coast Guard
Commandant

Dated at Washington, D. C., this 29th day of January, 1959.
      ***** END OF DECISION NO. 1089 *****

Top