

IN THE MATTER OF MERCHANT MARINER'S DOCUMENT NO. Z-347453 AND ALL
OTHER SEAMAN'S DOCUMENTS
Issued to: Mendel L. ULLMAN

DECISION OF THE COMMANDANT
UNITED STATES COAST GUARD

1615

Mendel L. ULLMAN

This appeal has been taken in accordance with Title 46 United States Code 239b and Title 46 Code of Federal Regulations 137.30-1.

By order dated 11 October 1966, an Examiner of the United States Coast Guard at Philadelphia, Pennsylvania, revoked Appellant's seaman's documents upon finding him guilty of the charge of "conviction for a narcotic drug law violation." The specification found proved alleges that while the holder of an outstanding Merchant Mariner's Document, Appellant was convicted by a Pennsylvania court for a violation of the narcotic drug law of the state.

At the hearing, Appellant elected to act as his own counsel. Appellant entered a plea of not guilty to the charge and specification.

The Investigating Officer introduced in evidence a certified copy of the court order finding Appellant guilty of a violation of state narcotic drug laws.

Appellant made a statement on his own behalf.

At the end of the hearing, the Examiner rendered a written decision in which he concluded that the charge and specification had been proved. The Examiner then served a written order on Appellant revoking all documents issued to him.

The entire decision was served on 14 October 1966. Appeal was timely filed on 4 November 1966.

FINDINGS OF FACT

Appellant, while the holder of an outstanding Merchant Mariner's Document was, on or about 6 June 1966, convicted by the Court of Quarter Sessions and Oyer and Terminer, Country of Bucks, State of Pennsylvania, for a violation of the drug laws of the State of Pennsylvania: to wit, possession of marijuana.

BASES OF APPEAL

This appeal has been taken from the order imposed by the Examiner. It is urged that Appellant be given clemency.

OPINION

The certified copy of the court order shows that Appellant was convicted by a State Court for a narcotic drug law violation. This constitutes conclusive proof in these proceedings. 46 CFR 137.20-110(c).

In mitigation, Appellant stated he had never been in trouble before, and that he started using marijuana only after his wife left him. He also stated he never sold marijuana or other illegal drug, and has not used marijuana for over a year.

Appellant was sentenced to 364 days probation as a result of the state court conviction.

ORDER

The order of the Examiner dated at Philadelphia, Pennsylvania,

on 11 October 1966, is AFFIRMED.

P.E. TRIMBLE
Vice Admiral, U. S. Coast Guard
Acting Commandant

Signed at Washington, D.C., this 16th day of May 1967.

INDEX

Order of Examiner

Revocation of documents for narcotic conviction affirmed

Proof

Certified copy of court order as

Revocation or suspension

Unlawful use of narcotics

Court record

Certified copy of as proof

***** END OF DECISION NO. 1615 *****

[Top](#)