

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD**

**UNITED STATES OF AMERICA
UNITED STATES COAST GUARD,**

**Complainant,
vs.**

**COAST GUARD LICENSE
NO. 877800**

ISSUED TO:

DEVON E. PUJOL

Respondent

**Docket Number:
CG S&R 01-0704**

**Coast Guard Case Number:
PA01001948**

ORDER

**BEFORE: THOMAS MCELLIGOTT
ADMINISTRATIVE LAW JUDGE
UNITED STATES COAST GUARD**

The United States Coast Guard initiated this case seeking to revoke Respondent Devon Pujol's Coast Guard License Number 877800 under 46 U.S.C. § 7704 (c). The Coast Guard alleges that Respondent violated 46 C.F.R. § 5.35 (Use of or Addiction to Dangerous Drugs) by testing positive for drugs during a pre-employment test conducted on August 13, 2001. The Respondent filed an answer to the Coast Guard's complaint admitting all jurisdictional and factual allegations and agreeing to the Coast Guard's proposed order to revoke any and all Coast Guard Licenses and Merchant Mariner's Documents issued to the Respondent. The Respondent then signed and sent a settlement agreement on November 1, 2001 agreeing to a stayed revocation of his license and any other Coast Guard issued documents pending completion of an approved drug rehabilitation program.

The Respondent D. E. Pujol also agreed to deposit his license and any other Coast Guard issued documents with the Senior Investigating Officer or Lieutenant at the Marine Safety Office in New Orleans, Louisiana. To this date, the Respondent has not sent or brought his license or Coast Guard issued documents to the Marine Safety Office in New Orleans, Louisiana.

Based on the terms of the settlement agreement that was signed by the Respondent, he is required to immediately deposit his license and Coast Guard issued documents with the Marine Safety Office in New Orleans, Louisiana. Thus, if he fails to do so or otherwise fails to comply with any other requirements in said settlement agreement, his license and any other Coast Guard issued documents will be Revoked. If the Respondent's license is Revoked, he is not eligible to apply for issuance of a new license until at least 3 years after compliance with this order, unless the time limitation is waived by the Commandant. 46 C.F.R. § 5.901.

ORDER

WHEREFORE, IT IS HEREBY ORDERED that Respondent Devon E. Pujol shall immediately mail, federal express or personally deliver any and all Coast Guard Licenses and Merchant Mariner's Documents to:

LTJG C. C. Culotta or the
Senior Investigating Officer
USCG Marine Safety Office
1615 Poydras Street, Suite 741
New Orleans, Louisiana 70112
Fax 504-589-4236

WHEREFORE, IT IS FURTHER ORDERED that if it is proved that failure on the part of the Respondent D. E. Pujol to immediately deposit his license or otherwise comply with all parts of the settlement agreement regarding drug rehabilitation shall

result in the **REVOCATION** of Coast Guard License Number 877800 and any other Coast Guard issued documents.

WHEREFORE, IT IS FURTHER ORDERED that Respondent shall be subject to criminal penalties including fines and/or imprisonment, if he unlawfully works under his Coast Guard issued license and/or document in a position where his license and/or document are required.

Done and dated this 11th of February, 2002 at
Houston, Texas.

Thomas McElligott
Administrative Law Judge