

U.S. DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD

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Complainant

vs.

DARRELL EUGENE LOWE

Respondent

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Docket Number CG S&R 07-0610

CG Case No. 3091102

**DEFAULT ORDER**

**Issued: February 7, 2008**

**Issued by: Michael J. Devine, Administrative Law Judge**

On January 7, 2007, the Investigating Officer at Marine Safety Unit Galveston filed a Motion for Default Order, seeking revocation of the Respondent's Merchant Mariner's Document, which Motion is incorporated herein by reference and made a part hereof.

On February 4, 2008 this Suspension and Revocation proceeding was assigned to the undersigned Administrative Law Judge for the U.S. Coast Guard for adjudication of the Motion for Default. The matter was taken under advisement and a complete review of this case was made. According to the case file, a copy of the original Complaint, dated November 19, 2007 was duly served upon the Respondent, via personal service on November 19, 2007. No answer has ever been filed. The Default Motion was served by the Coast Guard upon the Respondent by Certified Mail on January 7, 2008 and a receipt of service dated January 11, 2007 was received.

To date, Respondent has not filed an Answer to the original Complaint, with either the

Investigating Officer or the Coast Guard Administrative Law Judge Docketing Center,  
and no response to the Default Motion has been received.

Upon consideration of the record, I find that the Respondent is in **DEFAULT**. A default constitutes an admission of all facts alleged in the Complaint and a waiver of the Respondent's right to a hearing. (33 CFR § 20.310)

Accordingly, I hereby **ORDER** that the alleged violation of Use of or Addiction to the Use of Dangerous Drugs is **PROVED**. I have carefully reviewed the Complaint and the Motion for Default and find that the proposed sanction is appropriate under the provisions of 46 CFR § 5.569.

### **SANCTION**

**IT IS ORDERED** that your **Mariner's Document** is hereby **REVOKED**. You must **immediately surrender your document to the Coast Guard**. If you knowingly continue to use your document, you may be subject to criminal prosecution.

Under 33 CFR 20.310(e) for good cause shown, an Administrative Law Judge may set aside this finding of Default. You may file a motion to set aside the finding with the ALJ Docketing Center, Baltimore.

Service of this Order of Revocation upon you serves to notify you of your right to appeal as set forth in 33 CFR Subpart J, Section 20.1001. (Attachment A).



**M. J. DEVINE**  
**Administrative Law Judge**  
**United States Coast Guard**

Done and Dated on February 7, 2008 at  
Norfolk, VA