

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

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Complainant

Vs.

ANTONIO MONTE RIDDICK,

Respondent

Docket Number CG S&R 07-0643
CG Case No. 2992630

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2008 MAR -5 P 2:47
BALTIMORE, MD

DEFAULT ORDER

Issued: March 5, 2008

Issued by: M. J. Devine, Administrative Law Judge

On January 29, 2008 the Investigating Officer at Sector Hampton Roads 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 March 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 July 25, 2007, was duly served upon the Respondent, by Personal Delivery, on December 6, 2007. Respondent was charged with Use of or Addiction to the Use of Dangerous Drugs under 46 USC 7704(C). 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.

On January 29, 2008 the Coast Guard filed a Default Motion. As required by 33 CFR 20.304 Table 20.304(G), the Default Motion was served by sending it Certified Mail, Receipt Return to Respondent's last known address. On January 31, 2008 USPS attempted to deliver the document and left a notice for Respondent to pick up the package. On February 17, 2008 the U.S. Postal Service concluded that the Respondent was not going to pick-up his certified mail and returned the package to sender (Coast Guard). To date, the Respondent has not filed an Answer to the original Complaint, with either the Investigating Officer or the Coast Guard Administrative Law Judge Docketing Center. The Respondent has not provided any change of address therefore service of the Motion for Default is adequate in keeping with 33 CFR 20.304(h) and twenty days has passed since the Motion was served.

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)

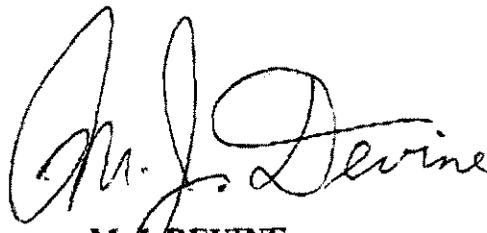
Accordingly, I hereby **ORDER** that the alleged violation of Use of Dangerous Drugs is **PROVED**. I have carefully reviewed the Complaint and the Motion for Default and find that the proposed sanction is appropriate under the provisions of 46 CFR § 5.569.

SANCTION

IT IS ORDERED that your Mariner's Document is hereby REVOKED. You must immediately surrender your documents to the Coast Guard. If you knowingly continue to use your documents, 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 March 5, 2008 at
Norfolk, VA