

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

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Complainant

vs.

RICHARD BRIAN BAKER
Respondent

Docket Number 2023-0151
Enforcement Activity No. 7655975

ORDER MEMORIALIZING BENCH DECISION

Issued: November 2, 2023

By Administrative Law Judge: Honorable Timothy G. Stueve

I held a remote video hearing via Zoom for Government on October 31 and November 1, 2023. At the conclusion of the hearing, the parties waived their right to file post-hearing briefs, and I rendered an oral decision on sanction. See 33 C.F.R. § 20.902; 33 C.F.R. § 20.710. On September 29, 2023 I previously granted Coast Guard's Motion for Summary Judgement and found the allegations contained in the Coast Guard's Complaint proved. Specifically, I found Richard Brian Baker's conviction of violating Alaska Statue § 28.35.030(a)(1) is an offense described or comparable to those in 49 U.S.C. § 30304(a)(3)(A), as identified by 46 U.S.C. § 7703(3). I revoked Respondent's Merchant Mariner Credential for this violation. The hearing transcript contains the record of the hearing in its entirety, including the oral decision and sanction.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED Merchant Mariner Credential [REDACTED] and all other Coast Guard licenses, certificates and documents issued to Respondent, Richard Brian Baker, are hereby **REVOKED**. Respondent shall immediately deposit his credentials with LCDR Nicholas Capuzzi of Coast Guard Marine Safety Detachment, Homer. If Respondent continues to use the credentials, he may be subject to criminal prosecution.

PLEASE TAKE NOTICE service of this Order on you serves as additional notice of your right to appeal as set forth in 33 C.F.R. §§ 20.1001-20.1004.1 (Attachment B). The appeal time runs from the date the oral decision was rendered, on November 1, 2023. A copy of the transcript will be provided to either party if requested.

SO ORDERED.

Done and Dated on this 2nd day of November 2023 at
Alameda, California



Timothy G. Stueve
Administrative Law Judge
U.S. Coast Guard