

**UNITED STATES OF AMERICA  
DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD**

UNITED STATES COAST GUARD,	)	
Complainant,	)	
	)	Docket Number: 2023-0323
vs.	)	
	)	Enforcement Activity ID: 7753704
CALEB RYAN HELFRICK,	)	
Respondent.	)	

**DEFAULT ORDER**

**Issued:** December 14, 2023

**By Order of Chief Administrative Law Judge: Hon. Walter J. Brudzinski**

**Appearances:**

**For the Coast Guard**

LT Pablo Morales  
USCG Sector Corpus Christi

**For the Respondent**

Caleb Ryan Helfrick, *Pro se*

## **ORDER GRANTING COAST GUARD'S MOTION FOR DEFAULT ORDER**

On September 28, 2023, the United States Coast Guard Sector Corpus Christi (Coast Guard) issued a Complaint against Caleb Ryan Helfrick (Respondent) seeking to revoke his Merchant Mariner Credential (MMC or credential) for drug use, in violation of 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges Respondent took a required random drug test pursuant to 46 C.F.R. Part 16 on March 31, 2023, in which his specimen tested positive for Amphetamines and Methamphetamines.

The Coast Guard filed its Return of Service for Complaint on October 4, 2023, indicating it served a copy of said Complaint to Respondent at his residence by express courier service. Respondent signed for the document on October 2, 2023. As set forth in the Complaint, Respondent's Answer is due within 20 days of receipt in accordance with 33 C.F.R. § 20.308. Respondent's Answer was due no later than October 23, 2023, because October 22, 2023 fell on a Sunday.

To date, Respondent has neither filed an Answer nor requested an extension of time to file an Answer; therefore, the Coast Guard filed its Motion for Default Order (Default Motion) on November 6, 2023, requesting the Administrative Law Judge (ALJ) issue a Default Order against Respondent imposing the sanction asked for in the Complaint. The Coast Guard subsequently filed a Return of Service for the Default Motion showing it served a copy of said Default Motion to Respondent at his residence by express courier. Respondent signed for the document on November 8, 2023.

Title 33 C.F.R. § 20.310 provides "the respondent alleged to be in default shall file a reply to the motion 20 days or less after service of the motion." Respondent's reply was due no later than November 28, 2023. To date, Respondent has not filed his reply.

On December 6, 2023, the ALJ Docketing Center assigned this matter to the undersigned for review and adjudication. After careful review of this file, I find the applicable provisions of 33 C.F.R. §§ 20.310 and 20.304(d) and (h) have been complied with and Respondent is in **DEFAULT**. Under 33 C.F.R. § 20.310(c) a default constitutes an admission of all facts alleged in the Complaint and a waiver of Respondent's right to a hearing.

Accordingly, I find the violations alleged in the Complaint are **PROVED**. I have carefully reviewed the Complaint and the Default Motion and further find the proposed sanction of revocation is appropriate under the provisions of 46 C.F.R. § 5.569.

**SANCTION**

**IT IS HEREBY ORDERED** that Respondent CALEB RYAN HELFRICK's Merchant Mariner Credential is **REVOKED**.

**IT IS FURTHER ORDERED** that Respondent immediately surrender his MMC to the Investigating Officer at the United States Coast Guard Sector Corpus Christi, 249 Glasson Drive, Corpus Christi, TX 78406. If Respondent knowingly continues to use his credentials, he may be subject to criminal prosecution.

**PLEASE TAKE NOTICE** that under 33 C.F.R. § 20.310(e), for good cause shown, an Administrative Law Judge may set aside this finding of Default. Respondent may file a motion to set aside the finding with the ALJ Docketing Center, Baltimore, MD.

**PLEASE TAKE FURTHER NOTICE** that service of this Order upon Respondent serves to notify Respondent of his right to appeal as set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated December 14, 2023  
New York, NY



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HON. WALTER J. BRUDZINSKI  
CHIEF ADMINISTRATIVE LAW JUDGE  
UNITED STATES COAST GUARD