

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

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Complainant

vs.

CHRISTOPHER ANTHONY JACKSON,
Respondent

Docket Number 2023-0254
Enforcement Activity No. 7720957

CONSENT ORDER
Issued: November 1, 2023

By Administrative Law Judge: Honorable George J. Jordan

Appearances:

LT. Bobbi Jo Robertson
Sector Mobile
For the Coast Guard

Christopher Anthony Jackson, *Pro se*
For the Respondent

CONSENT ORDER APPROVING SETTLEMENT AGREEMENT

On July 12, 2023, the Coast Guard filed a Complaint against Christopher Anthony Jackson (Respondent), seeking Revocation of Respondent's Merchant Mariner Credential (MMC) [REDACTED]. The Return of Service for the Complaint indicated that a person of suitable age and discretion residing at Respondent's residence accepted service of the Complaint on July 11, 2023. On September 5, 2023, more than the regulatory allowed 20 days provided for Respondent to file an answer, the Investigating Officer at United States Coast Guard, Sector Mobile filed a Motion for Default Order due to Respondent's failure to file an Answer to the Complaint. However, on October 30, 2023, the Coast filed a Motion to Withdraw Default and a Motion for Approval of Settlement Agreement. With these two motions the Coast Guard would like to withdraw the previously filed Motion for Default and instead have the settlement agreement executed by the Respondent on August 27, 2023, approved.

The Coast Guard, and each party or interested person, has a duty to amend or supplement a previously filed document if they learn of a material change that may affect the outcome of a proceeding. 33 C.F.R. § 20.305(a). In this instance the material change is the Respondent entering into a settlement agreement where he can prove cure and only have his MMC suspended as opposed to revoked. The regulations only explicitly permit withdrawing a motion to reopen proceedings. 33 C.F.R. § 20.904(d). However, Suspension and revocation actions against MMCs are remedial and not penal in nature. 46 U.S.C. § 7701(b) (2023); 46 C.F.R. § 5.5. Therefore to best allow the Coast Guard to amend and supplement its filings while also fulfilling the remedial nature of these proceedings I will grant the Motion to Withdraw Default.

I have carefully reviewed the terms of the Settlement Agreement and find that it is fair and reasonable and in substantial compliance with the requirements of 33 C.F.R. § 20.502.

ORDER

Upon consideration of the record, it is hereby **ORDERED** that the Motion to Withdraw Default is **GRANTED**.

IT IS FURTHER ORDERED that Settlement Agreement is **APPROVED** in full and incorporated herein by reference.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credential is **REVOKED**. However, the revocation is stayed to permit Respondent to complete the terms of the Settlement Agreement.

IT IS FURTHER ORDERED that Respondent complete the terms of the Settlement Agreement prior to the termination of the stay. If Respondent satisfies the requirements, then this order will reflect an outright suspension for the period of deposit of Respondent's Merchant Mariner Credential in accordance with the stipulated order contained in the Settlement Agreement.

IT IS FURTHER ORDERED that this Consent Order shall constitute full, final, and complete adjudication of this proceeding.



George J. Jordan
US Coast Guard Administrative Law Judge

Date: November 1, 2023