

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

UNITED STATES COAST GUARD,	)	
Complainant,	)	
	)	Docket Number: 2024-0223
vs.	)	
	)	Enforcement Activity Number: 7889405
SCOTT MICHAEL JONES,	)	
Respondent.	)	

**ORDER GRANTING COAST GUARD’S MOTION FOR WITHDRAWAL**

**Issued:** June 4, 2024

**By Order of Administrative Law Judge:** Timothy G. Stueve

**Appearances:**

**For the Coast Guard**

LT Claire Hurley  
USCG Sector San Francisco

**For the Respondent**

Scott Michael Jones, *Pro se*

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

The United States Coast Guard Sector San Francisco (Coast Guard) initiated this administrative proceeding by serving a Complaint on April 23, 2024, seeking to revoke Scott Michael Jones' (Respondent) Merchant Mariner Credential (MMC) for use of, or addiction to the use of dangerous drugs 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 January 18, 2024, in which his urine specimen tested positive for cocaine.

Also on April 30, 2024, the Respondent submitted an answer to the Complaint admitting to all jurisdictional and factual allegations, and then on May 8, 2024, completed a Voluntary Surrender Agreement in accordance with 46 C.F.R. § 5.203. Therefore on May 23, 2024, the Coast Guard filed a Motion for Withdrawal (Motion), requesting to withdraw this administrative proceeding from the Administrative Law Judge Docket (ALJ) and that this matter be dismissed without prejudice, in accordance with 33 C.F.R. § 20.311.

Pursuant to 33 C.F.R. § 20.311(c), an administrative proceeding may not end in withdrawal "unless approved by an ALJ upon such terms as she or he deems proper." Dismissal "resides within the discretion of the ALJ." 33 C.F.R. § 20.311(e). Upon consideration of the record, I hereby **GRANT** the Coast Guard's Motion for Withdrawal.

WHEREFORE, this administrative proceeding is **DISMISSED** without prejudice, that is, the Coast Guard may file a new Complaint in this matter. Further, this matter is **WITHDRAWN** from the ALJ Docket.

**SO ORDERED.**

Done and dated June 4, 2024  
Alameda, CA



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Hon. Timothy G. Stueve  
Administrative Law Judge  
United States Coast Guard