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

UNITED STATES COAST GUARD	)	
Complainant	)	Docket Number: 2024-0075
	)	
vs.	)	
	)	
CLAY BUFORD FERGUSON	)	MISLE Activity ID: 7714318
Respondent.	)	

ORDER OF WITHDRAWAL

On February 5, 2024, the United States Coast Guard (Coast Guard) filed a Complaint against Respondent, Clay Ferguson (Respondent), seeking revocation of his Merchant Mariner Credential based upon, *inter alia*, Respondent's having been deemed a security threat by the Transportation Security Administration (TSA), which revoked his Transportation Worker Identification Credential (TWIC) pursuant to 49 C.F.R. § 1572.5(b). The Complaint further alleged that Respondent is a security threat under 46 U.S.C. § 7703(5) and that Respondent's ineligibility to hold a TWIC constitutes proof of Respondent's ineligibility to hold a Merchant Mariner Credential under 46 C.F.R §§ 10.01 and 10.235(h).

On August 22, 2024, the Coast Guard and Respondent filed a Joint Stipulation for Withdrawal of the Complaint, submitting that TSA reevaluated Respondent pursuant to 49 C.F.R. § 1572 and determined that Respondent was no longer a security threat. The parties further represented that "TSA will reissue Respondent a new TWIC," and requested that this matter be withdrawn pursuant to 33 C.F.R. § 20.311(a)(1) and (b) without prejudice.

Title 33 C.F.R. § 20.311(a)(1) provides that an administrative proceeding may end in withdrawal without any act by an ALJ by the filing of a stipulation by all parties who have appeared in the proceedings. Such withdrawals are to be without prejudice under 33 C.F.R. § 20.311(b). Accordingly, as all parties have joined in filing the required joint stipulation, this matter shall be withdrawn without prejudice.

ORDER

IT IS HEREBY ORDERED, this administrative proceeding is **WITHDRAWN** from the ALJ Docket without prejudice.

Done and dated this 4th day of September, 2024,
at New Orleans, Louisiana

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HON. BRIAN J. CURLEY
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE