

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

UNITED STATES COAST GUARD,
Complainant,

v.

GERALD JAMES BLANDFORD,
Respondent.

**DOCKET NO: 2024-0563
MISLE ACTIVITY ID. 8015967**

**HONORABLE GEORGE J. JORDAN
ADMINISTRATIVE LAW JUDGE**

DEFAULT ORDER

This matter comes before me based on the United States Coast Guard's (Coast Guard) Motion for Default Order (Motion for Default). As of the date of this order, Gerald James Blandford (Respondent) has not replied to the Complaint nor the Motion for Default. Upon review of the record and pertinent authority, the allegations in the Complaint are **PROVED**.

Background

On December 11, 2024, the Coast Guard issued a Complaint against Respondent seeking to revoke his Merchant Mariner Credential (MMC) for being a user of a dangerous drug in violation of 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges Respondent tested positive for cocaine metabolites as the result of a pre-employment drug test, pursuant to 46 C.F.R. Part 16.

On December 20, 2024, the Coast Guard filed its Return of Service for the Complaint stating a copy of the Complaint was served upon and signed for by a person of suitable age and discretion residing at the Respondent's residence via express courier service that same day.

Subsequently, the Coast Guard filed a Motion for Default on January 15, 2025. 33 C.F.R. 20.310. The Coast Guard served the Motion for Default upon Respondent by express courier service delivered to Respondent's residence and signed for by him on January 16, 2025.

To date, more than twenty days have passed from service of the Motion for Default and Respondent has neither filed an answer nor requested an extension of time to file an answer. 33 C.F.R. § 20.308(a).

As Respondent has not filed an answer nor asserted good cause for failing to do so, I find Respondent in **DEFAULT**. 33 C.F.R. § 20.310(a); Appeal Decision 2700 (THOMAS) (2012).

A default constitutes an admission of all facts alleged in the Complaint and waiver of the right to hearing on those facts. 33 C.F.R. § 20.310(c). I find the following factual allegations in the Complaint **ADMITTED**:

1. On August 29, 2024, Respondent took a required pre-employment drug test pursuant to 46 C.F.R. Part 16.
2. A urine specimen was collected from Respondent by Dennis Rivera of Trenton Health Center, Trenton, Maine in accordance with 49 C.F.R. Part 40.
3. Respondent signed a Federal Drug Testing Custody and Control Form for providing urine specimen ID# 0165684994.
4. Urine specimen ID# 0165684994 was received by and subsequently analyzed pursuant to 49 C.F.R. Part 40 by Quest Diagnostics, Norristown, PA, a SAMHSA certified laboratory.
5. On September 1, 2024, urine specimen ID# 0165684994 tested positive for cocaine metabolites, as reported by Quest Diagnostics.
6. On, September 4, 2024, Dr. J. Richard Johnson, the Medical Review Officer, determined that Respondent failed a chemical test for dangerous drugs, raising the presumption of use, established by 46 C.F.R. § 16.201(b).
7. Respondent has been the user of a dangerous drug, as described by 46 U.S.C. § 7704(b).

Upon finding Respondent in default, I must now issue a decision against him. 33 C.F.R. § 20.310(d). In reviewing the record, I find that the facts deemed admitted are sufficient to establish Respondent is a user of a dangerous drug as outlined in 46 U.S.C. § 7704(b),

46 C.F.R. § 16.201(b), Appeal Decision 2556 (LINTON) (1994), Appeal Decision 2603 (HACKSTAFF) (1998), and Appeal Decision 2704 (FRANKS) (2014). Accordingly, I find Respondent is a user of a dangerous drug.

SANCTION

Having found Respondent in default and all allegations in the Complaint proved, I now must determine the appropriate sanction. 33 C.F.R. § 20.902(a)(2). While it is within the sole discretion of the Administrative Law Judge to determine the appropriate sanction at the conclusion of a case. Appeal Decision 2362 (ARNOLD) (1984). A proved allegation that a mariner is a user of a dangerous drug carries a mandatory sanction of revocation of their MMC unless they can prove cure. 46 U.S.C. § 7704(b). The Coast Guard proved Respondent is a user of dangerous drug, thus the only sanction to levy is revocation. Id.

WHEREFORE

ORDER

Upon consideration of the record, I find Respondent in **DEFAULT**.

IT IS HEREBY ORDERED, in accordance with 33 C.F.R. § 20.310, I find the allegations set forth in the Complaint **PROVED**.

IT IS FURTHER ORDERED, all of Respondent's Coast Guard issued credentials, including Respondent's Merchant Mariner Credential (MMC), are **REVOKED**.

IT IS FURTHER ORDERED, Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMC [REDACTED], by mail, courier service, or in person to: CWO3 Joey Dore, United States Coast Guard, Marine Safety Unit Belfast, 2 Franklin Street, Suite 201, Belfast, ME 04915. In accordance with 18 U.S.C. §

2197, if Respondent knowingly continues to use the Coast Guard issued MMC, Respondent may be subject to criminal prosecution.

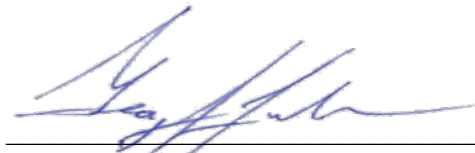
IT IS FURTHER ORDERED, pursuant to 33 C.F.R. § 20.310(e), for good cause shown, an ALJ may set aside a finding of default. A motion to set aside a finding of default may be filed with the ALJ Docketing Center in Baltimore. The motion may be sent to the U.S. Coast Guard Administrative Law Judge Docketing Center; Attention: Hearing Docket Clerk; Room 412; 40 S. Gay Street; Baltimore, MD 21202-4022.

PLEASE TAKE NOTICE, within three (3) years or less, Respondent may file a motion to reopen this matter and seek modification of the order of revocation upon a showing that the order of revocation is no longer valid, and the issuance of a new license, certificate, or document is compatible with the requirement of good discipline and safety at sea. See generally 33 C.F.R. § 20.904.

PLEASE TAKE NOTICE, service of this Default Order on the parties serves as notice of appeal rights set forth in 33 C.F.R. § 20.1001-20.1004 (Attachment A).

SO ORDERED.

Done and dated, February 25, 2025,
Seattle, Washington

A handwritten signature in blue ink, appearing to read "G. Jordan", is written over a horizontal line.

GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE