

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

UNITED STATES COAST GUARD,	)	
Complainant,	)	
	)	Docket Number: 2025-0060
v.	)	
	)	MISLE Activity ID: 7775157
ALEXIS MERCADO,	)	
Respondent.	)	

ORDER GRANTING MOTION FOR DEFAULT ORDER

This matter comes before me on the United States Coast Guard's (Coast Guard) Motion for Default Order (Motion). As of the date of this Order, Alexis Marie Mercado (Respondent) has not responded to the Complaint nor the Motion.

Upon review of the record and pertinent authority, the Coast Guard's Motion is
GRANTED.

I. BACKGROUND

On February 5, 2025, the Coast Guard filed a Complaint alleging Respondent committed misconduct for having a blood alcohol concentration (BAC) greater than 0.04 while onboard Norwegian Cruise Lines (NCL), PRIDE OF AMERICA, in violation of NCL, PRIDE OF AMERICA's Drug and alcohol policy. 46 U.S.C. § 7703(1)(B); 46 C.F.R. § 5.27. The Coast Guard also asserted the foregoing charge is aggravated because Respondent had a BAC over 0.04 while on duty as a food handler.

The Return of Service for the Complaint indicates Federal Express delivered the Complaint to Respondent's residence where a person of suitable age and discretion signed for the Complaint on March 12, 2025. On June 13, 2025, the Coast Guard filed this Motion arguing Respondent failed to file an Answer within 20 days or less of service of the Complaint and

asserting Respondent never requested an extension. See 33 C.F.R. § 20.308(a). The Coast Guard also certified that it served Respondent by Express Courier on June 13, 2025.

Thereafter, on October 7, 2025, the Coast Guard filed a notice of errata which explained that it would re-serve the motion on Respondent due to apparent errors “in the record.” The notice of errata also advised that the Coast Guard would file notice once new service was effected. On November 7, 2025, the Coast Guard filed a “Return of Service for Default Motion” which showed service of the motion on Respondent by FedEx on October 10, 2025.

Thereafter, the Chief Administrative Law Judge assigned the matter to my docket for adjudication on December 2, 2025.

II. DISCUSSION

The regulations require a respondent to “file a written answer to the complaint 20 days or less after service of the complaint.” 33 C.F.R. § 20.308(a). The ALJ may find a respondent in default upon failure to file a timely answer to the complaint without good cause shown. 33 C.F.R. § 20.310(a). Default constitutes an admission of all facts alleged in a complaint and a waiver of Respondent's right to a hearing on those facts. 33 C.F.R. § 20.310(c); see also 33 C.F.R. § 20.308(d) (“[R]espondent's failure without good cause to file an answer admits each allegation made in the complaint.”).

The Complaint, filed by the Coast Guard and properly served on Respondent, included instructions that clearly stated, **“YOU MUST RESPOND TO THIS COMPLAINT WITHIN 20 DAYS”** and provided the applicable regulatory provision—33 C.F.R. § 20.308. The instructions also informed Respondent an extension of time could be requested “within 20 days” of receipt. As of the date of this Order, Respondent has not filed an Answer, a response to the Motion, nor requested an extension of time. Accordingly, I find Respondent in **DEFAULT**

pursuant to 33 C.F.R. § 20.310(a), and therefore, deem the allegations of the Complaint admitted. See Appeal Decision 2682 (REEVES) (2008).

After reviewing these admissions, I find the Coast Guard proved Respondent committed misconduct for violating company policy, described in 46 U.S.C. § 7703(1)(B), and 46 C.F.R. § 5.27. Based on these admissions, including the aggravating facts, I agree with the Coast Guard's proposed sanction of **TWO-MONTHS OUTRIGHT SUSPENSION**. See 46 C.F.R. § 5.569.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED, all of Respondent's Coast Guard issued credentials, including Respondent's Merchant Mariner Credential (MMC), are **SUSPENDED OUTRIGHT FOR TWO MONTHS**.

IT IS FURTHER ORDERED, Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMC, by mail, courier service, or in person to: **Christopher Hochschild, United States Coast Guard, Sector San Diego, 2710 North Harbor Drive, San Diego, CA 92101.** 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.

RESPONDENT IS HEREBY NOTIFIED, 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, service of this Default Order on the parties serves as notice

of appeal rights set forth in 33 C.F.R. §§ 20.1001 through 20.1004 (Attachment A).

SO ORDERED.

Done and dated, February 18, 2026, at
Houston, Texas

A handwritten signature in black ink that reads "Tommy Cantrell". The signature is written in a cursive, flowing style.

TOMMY CANTRELL
ADMINISTRATIVE LAW JUDGE
UNITED STATES COAST GUARD