

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

UNITED STATES COAST GUARD,	)	
Complainant,	)	
	)	Docket Number: 2025-0153
vs.	)	
	)	Enforcement Activity: 8093826
THOMAS ROWLAND MARSHALL V,	)	
Respondent.	)	

**CONSENT ORDER**

**Issued:** May 8, 2025

**By Order of Administrative Law Judge: Hon. Jennifer A. Mehaffey**

**Appearances:**

**For the Coast Guard**

CWO4 Sean M. DeCataldo  
USCG Marine Safety Unit Lewes

Daniel B. Schaefer, Esq.  
USCG Suspension and Revocation National Center of Expertise

**For the Respondent**

Thomas Rowland Marshall V, *Pro se*

## **CONSENT ORDER APPROVING SETTLEMENT AGREEMENT**

On April 25, 2025, the Coast Guard filed its First Amended Complaint against Thomas Rowland Marshall V (Respondent) seeking revocation of his Merchant Mariner Credential (MMC). Also on April 25, 2025, the Coast Guard filed a Joint Motion for Consent Order and Approval of Settlement Agreement, containing the Settlement Agreement to be approved as a settlement of this case under 33 C.F.R. § 20.502.<sup>1</sup>

As evidenced by their respective signature, the parties assert that settlement is in the public interest and appropriate based on Respondent's cooperation and good faith efforts towards remediation. The parties also agree the entry of a Consent Order approving this settlement without further litigation is the proper means of resolution in this matter. Accordingly, the parties have expressly waived their right to a hearing and appeal in this matter and I have not conducted a hearing on the merits of this case. I have carefully reviewed the terms of the Settlement Agreement and find that it is fair, reasonable, and in substantial compliance with the requirements of 33 C.F.R. § 20.502.

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<sup>1</sup> This is the parties' second submission of the Complaint and their Motion for Approval of Settlement Agreement and Entry of Consent Order (Motion). I had issue with the Coast Guard's proposed sanction of revocation of Respondent's MMC for his refusing to take a chemical drug test without identifying any aggravating factors in the Complaint, as it did not align with Coast Guard binding precedent regarding 46 C.F.R. § 5.569. Therefore, on April 21, 2025, I issued an Order denying the Motion for Approval of Settlement Agreement.

**ORDER**

**IT IS HEREBY ORDERED**, the Motion for Approval of Settlement Agreement and Entry of Consent Order is **GRANTED**, and the Settlement Agreement is **APPROVED** in full and incorporated herein by reference. This Consent Order shall constitute full, final, and complete adjudication of this proceeding.

Done and dated May 8, 2025  
New York, NY

A handwritten signature in black ink, appearing to read "J. MehaFFEY", is written over a faint, light blue circular stamp. The signature is fluid and cursive.

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HON. JENNIFER A. MEHAFFEY  
Administrative Law Judge  
United States Coast Guard