

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

**UNITED STATES COAST GUARD,
Complainant**

vs.

**DARRELL LEON BLEVINS
Respondent.**

**Docket Number 2025-0363
MISLE Activity No. 8007948**

ORDER GRANTING COAST GUARD’S MOTION FOR SUMMARY DECISION

Issued: October 24, 2025

By Administrative Law Judge: Honorable Timothy G. Stueve

This matter comes before me on the United States Coast Guard’s (Coast Guard) Motion for Summary Decision (Motion), filed on September 30, 2025. To date, Darrell Blevins (Respondent) has not filed a response to the Motion. See 33 C.F.R. § 20.309(d). For the reasons set forth below, I **GRANT** the Motion and **REVOKE** Respondent’s Merchant Mariner Credentials (MMC).

I. PROCEDURAL HISTORY

On July 16, 2025, the Coast Guard filed a Complaint against Respondent seeking to revoke his MMC. Specifically, the Coast Guard asserted Respondent is a security risk as described by 46 U.S.C. § 7703(5). The Complaint alleged that on May 5, 2024, the Transportation Security Administration (TSA) determined Respondent does not meet the security threat assessment standards described in 49 C.F.R. § 1572.5, poses an imminent security threat in accordance with 49 C.F.R. § 1572.21(d)(3), and revoked Respondent’s Transportation Worker

Identification Credential (TWIC), in accordance with 49 C.F.R. § 1572.5(b). The Complaint further alleged that Respondent's ineligibility to hold a TWIC is proof Respondent is not eligible for an MMC, in accordance with 46 C.F.R. §§ 10.101 and 10.235(h).

Respondent filed an Answer on August 4, 2025, admitting to the jurisdictional allegations but not the factual allegations. On September 30, 2025, the Coast Guard filed its Motion requesting I find the allegations in the Complaint proved. The time for filing a response to the Motion expired on October 10, 2025, and Respondent has not filed a response nor presented any evidence. This matter is now ripe for decision.

II. DISCUSSION

In the Motion, the Coast Guard requests I find in their favor because there is no genuine dispute as to the material facts that Respondent is a security risk, and summary decision is appropriate as a matter of law. Respondent did not file a response to the Motion and provided no facts or argument contrary to the Coast Guard's position.

The regulations governing Coast Guard suspension and revocation proceedings allow for summary decision where there is no dispute regarding the material facts of the charged violation and the moving party demonstrates it is entitled to a decision in its favor as a matter of law. 33 C.F.R. § 20.901(b). The standard for summary decision motions is set forth in 33 C.F.R. § 20.901, which provides in pertinent part:

- a) Any party may move for a summary decision in all or any part of the proceeding on the grounds that there is no genuine issue of material fact and that the party is entitled to a decision as a matter of law. The party must file the motion no later than 15 days before the date fixed for the hearing and may include supporting affidavits with the motion. Any other party, 10 days or less after service of a motion for summary decision, may serve opposing affidavits or countermove for summary decision. The ALJ may set the matter for argument and call for the submission of briefs.
- b) The ALJ may grant the motion if the filed affidavits, the filed documents, the material obtained by discovery or otherwise, or matters officially

noted show that there is no genuine issue of material fact and that a party is entitled to a summary decision as a matter of law.

This standard is comparable to Rule 56 of the Federal Rules of Civil Procedure.¹ All competing inferences as to whether a genuine issue of material fact exists are viewed in a light most favorable to the non-moving party. See Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986). The moving party bears the burden of identifying those portions of the pleadings, the material obtained by discovery or otherwise, or other material contained in the record, that show an absence of a genuine issue of material fact. See generally 33 C.F.R. § 20.901(b); see also Fed. R. Civ. P. 56; Anderson, 477 U.S. at 251-55; Celotex Corp. v. Catrett, 477 U.S. 317, 322-24 (1985). If the moving party meets that initial burden, the burden shifts to the non-moving party to show a material issue of fact does exist that precludes summary judgment. Anderson v. Radisson Hotel Corp., 834 F. Supp. 1364, 1367–68 (S.D. Ga. 1993) (internal citations omitted). It is not enough for the non-moving party to rely on conclusory allegations contained in the complaint. Id.

After review of the Complaint, Answer, Motion, and record as whole, I find there is no genuine issue of material fact that Respondent is a security risk as described by 46 U.S.C. § 7703(5). As such I find allegations proved. I will now discuss each allegation in turn.

A. There is no Genuine Issue of Material Fact Regarding the Jurisdictional Allegations

In the Complaint, the Coast Guard alleges Respondent is the holder of the following U.S.

¹ Fed. R. Civ. P. 56(a): Motion for Summary Judgment or Partial Summary Judgment. A party may move for summary judgment, identifying each claim or defense--or the part of each claim or defense--on which summary judgment is sought. The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court should state on the record the reasons for granting or denying the motion.

Coast Guard-issued Merchant Mariner Credential(s): 000642328. (See Complaint and copy of Respondent's MMC attached to Motion). If Respondent is found to be a security risk that poses a threat to public safety, that MMC may be suspended or revoked. See 46 U.S.C. § 7703(5). Respondent admits to the jurisdictional allegations in his Answer. There is no genuine issue of material fact the Coast Guard has jurisdiction over this matter.

B. There is no Genuine Issue of Material Fact That TSA Revoked Respondent's TWIC

As the moving party, the Coast Guard bears the initial burden of identifying portions of the pleadings where there is an absence of a genuine issue of material fact. The Coast Guard meet this initial burden in its Motion by providing a letter from TSA stating Respondent's TWIC is canceled and their decision that Respondent is "ineligible to hold a TWIC is final." (See TWIC letter attached to Motion). The burden then shifted to Respondent, in which he would need to show a material fact does exists challenging this assertion. Respondent did not respond to the Motion and provided no evidence countering the evidence showing TSA determined Respondent is ineligible to hold a TWIC.

There being no evidence in the record to the contrary, I find the Coast Guard proved there is no material issue of fact concerning TSA's revocation of Respondent TWIC and TSA's determination Respondent is ineligible to hold a TWIC. A mariner whose TWIC has been revoked for reasons other than administrative reasons is deemed ineligible for an MMC. 46 C.F.R. § 10.235(i). In this case, the Coast Guard established Respondent's TWIC was revoked and he is ineligible to obtain a TWIC. Thus, granting summary decision is appropriate as a matter law. 33 C.F.R. § 20.901(b); see also Fed. R. Civ. P. 56; Anderson, 477 U.S. at 251-55; Celotex Corp. v. Catrett, 477 U.S. 317, 322-24 (1985).

III. SANCTION

Having determined Respondent's TWIC was revoked and he is denied issuance of a TWIC, I must now issue an appropriate sanction. A mariner whose TWIC has been revoked for reasons other than administrative reasons is deemed ineligible for an MMC. 46 C.F.R. § 10.235(i). Therefore, the only appropriate sanction is **REVOCATION**.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED, the Coast Guard's Motion for Summary Decision is **GRANTED**.

IT IS FURTHER ORDERED, MMC No. [REDACTED] and all other valid licenses, documents, and endorsements issued by the Coast Guard to Respondent are **REVOKED**.

IT IS FURTHER ORDERED, upon service of this order, Respondent shall immediately surrender his MMC and all other valid licenses, documents, and endorsements issued by the Coast Guard to Steven Baker, Suspension & Revocation National Center of Expertise, United States Coast Guard, 100 Forbes Drive, Martinsburg, WV 25404.

IT IS FURTHER ORDERED, the hearing scheduled for January 27, 2026, is **CANCELED**.

PLEASE TAKE FURTHER NOTICE, the parties' appeal rights are set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (See Attachment A).

Done and dated October 24, 2025
Alameda, California



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