

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

UNITED STATES COAST GUARD)
Complainant)
vs.) Docket Number: 2025-0412
TYREESE HUDSON) MISLE Activity ID: 8212882
Respondent.)

**ORDER MEMORIALIZING PREHEARING CONFERENCE
AND DEFAULT ORDER**

By: Honorable Timothy G. Stueve, Administrative Law Judge

Issued: October 29, 2025

Appearances:

For the Coast Guard

Steven Baker
Suspension AND Revocation National Center of Expertise

Daniel Schaefer, Esq.
Suspension AND Revocation National Center of Expertise

For Respondent

Tyreeese Hudson, Pro Se

Background

On August 19, 2025, the Coast Guard filed a Complaint against Tyreese Caprice Hudson (Respondent). The Return of Service for Complaint filed by the Coast Guard indicates the Complaint was delivered to Respondent's residence by Federal Express and signed for by a person of suitable age and discretion residing at the residence on August 21, 2025 (Attachment A)¹.

On September 19, 2025, the Coast Guard filed a Motion for Default Order (Motion), explaining Respondent failed to file an Answer, and the response time has passed. See 33 C.F.R. § 20.308. The Return of Service for Motion for Default states the Motion was delivered to Respondent's residence by Federal Express and signed for by a person of suitable age and discretion residing at the residence on September 22, 2025 (Attachment B)². The Acting Chief Administrative Law Judge assigned the matter to me on October 20, 2025.

Discussion

The applicable 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). An administrative law judge (ALJ) may find a respondent in default "upon failure to file a timely answer to the complaint or, after motion, upon failure to appear at a conference or hearing 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).

The Complaint filed by the Coast Guard and properly served on Respondent contained instructions that clearly stated, "YOU MUST RESPOND TO THIS COMPLAINT WITHIN 20

¹ The Fedex proof of service attached to the Return of Service for the Complaint shows that "T. Moore" signed for the document.

² The Fedex Proof of Service attached to the Return of Service for the Motion for Default Order indicates that "T. Hudson" signed for the document.

“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. Respondent failed to respond to the Complaint or the Motion for Default Order.

On October 28, 2025, I held a Pre-Hearing Conference. Respondent confirmed receipt of the Complaint. Respondent stated he delayed filing an Answer because he was waiting to see what would happen regarding his Transportation Worker Identification Credential (TWIC) issues before responding. The Respondent ultimately filed his Answer late, without providing any valid justification for missing the deadline.

I find that Respondent’s explanation does not constitute good cause for failing to file a timely Answer or respond to the Coast Guard’s Motion for Default. The procedural rules and deadlines governing these proceedings were clearly set forth in the Complaint, which Respondent confirmed receiving. Choosing to delay filing an Answer for personal reasons or to await unrelated developments does not excuse the Respondent’s failure to comply with the established deadlines. The Respondent was given an opportunity during the Pre-Hearing Conference to provide additional justification or evidence to support his claim of good cause, but he failed to do so.

Accordingly, I find that the Respondent’s explanation does not satisfy the standard for good cause and does not warrant relief from default. I find Respondent in default pursuant to 33 C.F.R. § 20.310(a). Default constitutes an admission of all facts alleged in the Complaint and a waiver of the right to a hearing. 33 C.F.R. § 20.310(c). See Appeal Decision 2682 (REEVES) (2008).

Turning to the allegations in the Complaint, the Coast Guard alleges on November 19, 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 TWIC in accordance with 49 C.F.R. § 1572.5(b). As a result of TSA's actions, the Coast Guard asserts Respondent is a security risk as described by 46 U.S.C. § 7703(5).

Having concluded Respondent admitted TSA revoked his TWIC, and all other facts in the Complaint, I agree TSA's determination that Respondent is not eligible to hold a TWIC is proof that a mariner is not eligible to hold an MMC. See 46 C.F.R. §§ 10.235(h) and 10.235(i). Based on these admissions, I find these facts as admitted are legally sufficient to find the single charge that Respondent is a security risk as described in 46 U.S.C. § 7703(5) **PROVED. Id.**

I find the facts alleged in the Complaint sufficient to warrant the suggested sanction of **REVOCATION**. See 46 C.F.R. §§ 10.235(h) and 10.235(i).

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 **REVOKE**D.

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: USCG Suspension & Revocation National Center of Expertise, 100 Forbes Drive, Martinsburg, WV 25404. 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 21201-4022.

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

SO ORDERED.

Done and dated this 29th day of October 2025, at
Alameda, California



**Honorable Timothy G. Stueve
Administrative Law Judge
U.S. Coast Guard**