

UNITED STATES OF AMERICA
U.S. DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

UNITED STATES COAST GUARD
Complainant

vs.

BRIAN DAVIS STACEY
Respondent

Docket Number 2025-0415
Enforcement Activity No. 8204134

DEFAULT ORDER

This matter comes before me on the United States Coast Guard's (Coast Guard) Motion for Default Order. As of the date of this order, Brian Stacey (Respondent) has not filed an answer to the Coast Guard's Motion. 33 C.F.R. § 20.310. As set forth below, I find Respondent is in **DEFAULT** and his credentials are **REVOKE**D.

1. Background

On September 2, 2025, the United States Coast Guard (Coast Guard) served a Complaint against Respondent seeking revocation of his merchant mariner credential (MMC). The Complaint alleges that Respondent has been the user of dangerous drugs in violation of 46 U.S.C. § 7704(b), as Respondent failed a drug test administered to him on August 28, 2024 pursuant to 46 C.F.R. Part 16, testing positive for cocaine. The Complaint further alleges two counts that Respondent was convicted of violating a dangerous drug law in violation of 46 U.S.C. § 7704(a), as defined by 46 C.F.R. § 5.35. Specifically, the Complaint alleges Respondent was convicted of violating Florida Statute Title XLVI 893.147(1), Use or Possession with Intent

to Use Drug Paraphernalia on December 4, 2024, as well as Florida Statute Title XLVI 893.13(1)(a)(1), Sale, Manufacture, or Delivery of Cocaine, on April 16, 2025.

On October 2, 2025, the Coast Guard served Respondent with a Motion for Default Order pursuant to 33 C.F.R. § 20.310. As of the date of this order, Respondent has not filed a response to the Coast Guard's motion.

2. **Discussion**

Pursuant to 33 C.F.R. § 20.308, a Respondent must file an Answer to a Complaint 20 days or less after service of the Complaint. If the Respondent fails to file an Answer without good cause shown, “[t]he ALJ may find a respondent in default. . .” 33 C.F.R. § 20.310. Default constitutes an admission of all facts alleged in the Complaint and a waiver of the right to a hearing. See 33 C.F.R. § 20.310(c); Appeal Decision 2682 (REEVES) (2008).

After careful consideration of the facts and circumstances of this case, I find more than twenty days have passed since the Coast Guard served Respondent with the Complaint in this matter. Furthermore, given that Respondent has not responded to the Coast Guard's Motion, I find Respondent has not shown good cause for his failure to file an Answer timely. Accordingly, I find Respondent in **DEFAULT** pursuant to 33 C.F.R. § 20.310(a).

Having found Respondent in **DEFAULT**, Respondent admits the facts in the Complaint by operation of 33 C.F.R. § 20.310(c). Based on these admitted facts, I find I have jurisdiction over the subject matter of the Complaint. I further find these admitted facts prove Respondent is the user of dangerous drugs in violation of 46 U.S.C. § 7704(b), and has been twice convicted of violating a dangerous drug law in violation of 46 U.S.C. § 7704(a), as defined by 46 C.F.R. § 5.35. Furthermore, the undersigned finds the facts alleged in the Complaint sufficient to warrant the suggested sanction of **REVOCATION**. Id.

WHEREFORE,

ORDER

Upon consideration of the record, the undersigned finds Respondent in **DEFAULT**.

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

IT IS FURTHER ORDERED, all of Respondent's Coast Guard issued credentials, including his Merchant Mariner Credentials, are **REVOKED**. Respondent shall immediately cease using all Coast Guard issued credentials.

IT IS FURTHER ORDERED, Respondent must immediately deliver by mail, courier service, or in person, his Merchant Mariner Credential and any other Coast Guard issued credentials, licenses, certificates, or documents to: Andrew S. Vetter, Sector Upper Mississippi River, Investigations Division, 1222 Spruce Street, Suite 7.103, Saint Louis, MO 63103-2846.

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 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 that 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.

SO ORDERED.

Done and dated this 2nd day of December, 2025
New Orleans, LA

