

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

UNITED STATES COAST GUARD,

Complainant,

vs.

KRISTOPHER PATRICK GUTHRIE,

Respondent.

Docket Number 2023-0036
Enforcement Activity No. 7608987

CONSENT ORDER

Issued By: Honorable George J. Jordan, Administrative Law Judge

Issued: February 24, 2023

Appearances:

**Mr. Hector Pacheco
USCG Sector North Carolina**

For the Coast Guard

Kristopher Patrick Guthrie, *pro se*

For Respondent

CONSENT ORDER APPROVING SETTLEMENT AGREEMENT

On February 2, 2023, the Coast Guard filed a Complaint against Kristopher Patrick Guthrie (Respondent) alleging one count of Use of, or addiction to the Use of, or Addiction to the Use of Dangerous Drugs, in violation of 46 C.F.R. § 16.201(b) and 46 U.S.C. § 7704(b). The Coast Guard alleged that Respondent failed a chemical test for dangerous drugs, raising the presumption of use.

On or about February 2, 2023, the parties in this case submitted a Motion for Approval of Settlement Agreement and Entry of Consent Order to be approved as a settlement of the case under 33 C.F.R. § 20.502.

After carefully reviewing the terms of the Settlement Agreement, I find that it is fair, reasonable, and in substantial compliance with the requirements of 33 C.F.R. § 20.502.

ORDER

Upon consideration of the record, it is hereby **ORDERED** that the Settlement Agreement is **APPROVED** in full and incorporated herein by reference.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credential is **REVOKED**. However, the revocation is stayed until **May 2, 2024**, to permit Respondent to complete a rehabilitation program and prove cure in accordance with the Settlement Agreement.

IT IS FURTHER ORDERED that Respondent must complete the terms of the Settlement Agreement prior to the termination of the stay. If Respondent satisfies the requirements, this order will reflect an outright suspension for the period of deposit.

IT IS FURTHER ORDERED that this Consent Order shall constitute full, final, and complete adjudication of this proceeding.



HON. GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE

Done and dated February 24, 2023,
at Seattle, WA