

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

UNITED STATES COAST GUARD

Complainant

vs.

MARTHA LENOIR BEACHEM,

Respondent.

**Docket Number 2023-0071
Enforcement Activity Number 7616690**

ADMISSION ORDER

Issued: March 23, 2023

By Chief Administrative Law Judge: Honorable Walter J. Brudzinski

Appearances:

**CWO MICHAEL MICUCCI
USCG Sector Miami
For the Coast Guard**

**MARTHA LENOIR BEACHEM, *Pro se*
For the Respondent**

ADMISSION ORDER

On February 21, 2023, the United States Coast Guard Sector Miami (Coast Guard) issued a Complaint against MARTHA LENOIR BEACHEM (Respondent) alleging Respondent committed an act of negligence while acting under the authority of her Merchant Mariner Credential (MMC or credential). Specifically, the Coast Guard alleges, on October 21, 2022, Respondent had direction and control of the Small Passenger Vessel (SPV) LADY GO DIVER (O.N. 1259389), with passengers for hire. While underway upon the Hillsboro Inlet, Respondent put the SPV LADY GO DIVER in gear, striking a recreational diver, who had just entered the water from the stern, causing multiple injuries to the diver's leg. Respondent putting the SPV LADY GO DIVER in gear while passengers were entering the water and striking a diver raises the presumption of negligence, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.29. The Coast Guard proposes a sanction of six (6) months outright suspension of Respondent's MMC.

In Respondent's Answer, dated March 13, 2023, she admits to all jurisdictional and factual allegations, and agrees with the proposed sanction.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED that Respondent's violation of negligence under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.29 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credential is **SUSPENDED OUTRIGHT FOR SIX (6) MONTHS**, commencing the date it was deposited with the Coast Guard.

Done and dated March 23, 2023
New York, NY

Walter J. Brudzinski

HON. WALTER J. BRUDZINSKI
CHIEF ADMINISTRATIVE LAW JUDGE
UNITED STATES COAST GUARD