

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

UNITED STATES COAST GUARD,)	
Complainant,)	
)	Docket Number: 2024-0039
vs.)	
)	Enforcement Activity Number: 7850393
JACKSON JOSEPH SANTOS,)	
Respondent.)	

ORDER GRANTING COAST GUARD'S MOTION FOR WITHDRAWAL

Issued: January 31, 2024

By Order of Chief Administrative Law Judge: Walter J. Brudzinski

Appearances:

For the Coast Guard

LT Megan Mahoney
USCG Sector Southeastern New England

For the Respondent

Jackson Joseph Santos, *Pro se*

ORDER GRANTING COAST GUARD'S MOTION FOR WITHDRAWAL

The United States Coast Guard Sector Southeastern New England (Coast Guard) initiated this administrative proceeding by issuing a Complaint on January 26, 2024, seeking to revoke Jackson Joseph Santos' (Respondent) Merchant Mariner Credential (MMC) for use of, or addiction to the use of dangerous drugs in violation of 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges Respondent took a required random drug test pursuant to 46 C.F.R. Part 16 on September 14, 2023, in which his urine specimen tested positive for Oxycodone.

Also on January 26, 2024, the Respondent submitted an answer to the Complaint admitting to all jurisdictional and factual allegations, and completed a Voluntary Surrender Agreement in accordance with 46 C.F.R. § 5.203. Therefore on this same date, the Coast Guard filed a Motion for Withdrawal (Motion), requesting to withdraw this administrative proceeding from the Administrative Law Judge Docket (ALJ) and that this matter be dismissed without prejudice, in accordance with 33 C.F.R. § 20.311.

Pursuant to 33 C.F.R. § 20.311(c), an administrative proceeding may not end in withdrawal "unless approved by an ALJ upon such terms as she or he deems proper." Dismissal "resides within the discretion of the ALJ." 33 C.F.R. § 20.311(e). Upon consideration of the record, I hereby GRANT the Coast Guard's Motion for Withdrawal.

WHEREFORE, this administrative proceeding is **DISMISSED** without prejudice, that is, the Coast Guard may file a new Complaint in this matter. Further, this matter is **WITHDRAWN** from the ALJ Docket.

SO ORDERED.

Done and dated January 31, 2024
New York, NY



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