

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

---

**UNITED STATES COAST GUARD,**

**Complainant,**

**vs.**

**ELENA MARIE PENDERGRASS,**

**Respondent.**

---

**Docket Number 2024-0205  
Enforcement Activity Number 7892760**

**ADMISSION ORDER**

**Issued: April 15, 2024**

**By Administrative Law Judge: Honorable Timothy G. Stueve**

**Appearances:**

**IO William Taylor  
USCG Sector Honolulu  
For the Coast Guard**

**Elena Marie Pendergrass, *Pro se*  
For the Respondent**

## **ADMISSION ORDER**

On April 11, 2024, the United States Coast Guard (Coast Guard) issued a Complaint against Elena Marie Pendergrass<sup>1</sup> (Respondent) alleging Respondent committed misconduct while acting under the authority of Respondent's Merchant Mariner Credential (MMC) as Crew Member aboard the vessel PRIDE OF AMERICA, as required by law or regulation.

Specifically, in its Complaint the Coast Guard alleges, on April 5, 2024, Respondent violated NCL, PRIDE OF AMERICA's Drug and Alcohol Policy by refusing to take a drug test while onboard the vessel PRIDE OF AMERICA. The Coast Guard's complaint further alleges Respondent's violation of NCL, PRIDE OF AMERICA's Drug and Alcohol policy is Misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27. The Coast Guard also alleges, on April 5, 2024, Respondent was wrongfully absent from the vessel PRIDE OF AMERICA without authorized leave. The Coast Guard's complaint further alleges Respondent's absence without authorized leave is Misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 C.F.R. § 5.27. The Coast Guard proposes a sanction of four (4) months outright suspension of Respondent's MMC.

In Respondent's Answer, dated April 11, 2024, Respondent admits to all jurisdictional and factual allegations, and agrees with the proposed sanction.

**WHEREFORE,**

**ORDER**

---

<sup>1</sup> Note the spelling of Respondent's last name in the Complaint, Answer and respective Certificates of Service were served as *Prendergrass*. On April 15, 2024, the IO Mr. Taylor has provided us with confirmation that the spelling of Respondent's last name is *Pendergrass*.

**IT IS HEREBY ORDERED**, Respondent's misconduct under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 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**, Respondent's Merchant Mariner Credential is **SUSPENDED OUTRIGHT FOR FOUR (4) MONTHS**, commencing the date it was deposited with the Coast Guard.



---

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

Done and dated April 15, 2024  
Alameda, CA