

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

UNITED STATES COAST GUARD

Complainant

vs.

WILLIAM PLOUGH

Respondent

**Docket Number: 2024-0445
Enforcement Activity Number: 7987618**

**ORDER MEMORIALIZING PRE-HEARING CONFERENCE,
DISMISSING CASE WITHOUT PREJUDICE, AND CANCELING HEARING**

On January 16, 2025, I convened a telephonic pre-hearing conference (PHC) in this case pursuant to 33 C.F.R. § 20.501. Daniel B. Schaefer, Esq., appeared on behalf of the United States Coast Guard (Coast Guard). William Plough (Respondent) appeared on his own behalf.

As this case is set for a hearing beginning on January 30, 2025, I convened the PHC to obtain a status update and to address the Coast Guard's Motion for Summary Decision (Motion), filed December 13, 2024.

Shortly after beginning the PHC, Respondent stated he intended to voluntarily surrender his Merchant Mariner Credential (MMC), rather than proceed to the hearing. In furtherance of that intention, Respondent stated he mailed his MMC and voluntary surrender statement to the Coast Guard on Monday, January 13, 2025. The Coast Guard confirmed its understanding regarding Respondent's intent to surrender and indicated it would file the appropriate motion upon receipt of Respondent's MMC and voluntary surrender statement.

Given Respondent's intent to surrender his MMC, and with no objection from

Respondent, the Coast Guard moved to withdraw its pending Motion. Considering the information provided by the parties, I **GRANTED** the Coast Guard's oral Motion to Withdraw the Motion for Summary Decision.

Subsequent to the PHC, but before the issuance of this Order, the parties filed a Joint Stipulation of Withdrawal (Joint Stipulation) on January 22, 2025. The parties stipulated to a withdrawal because the Coast Guard received Respondent's MMC and voluntary surrender statement. The parties attached a copy of Respondent's voluntary surrender statement to the Joint Stipulation, which comports with the requirements of 46 C.F.R. § 5.203. The Joint Stipulation made no mention of whether the parties desired the case be dismissed with or without prejudice.

In accordance with 33 C.F.R. § 20.311(a)(1), this proceeding may end in withdrawal without an act of the ALJ upon the filing of a stipulation by all parties who appeared in the proceeding. Further, unless the stipulation states otherwise, a withdrawal is without prejudice. 33 C.F.R. § 20.311(b). Accordingly, this matter is hereby withdrawn.

WHEREFORE,

ORDER

IT IS HEREBY ORDERED, the Coast Guard's oral motion to withdraw its Motion for Summary Decision, made on January 16, 2025, is **GRANTED**.

IT IS FURTHER ORDERED, in accordance with the parties' Joint Stipulation of Withdrawal, filed January 22, 2025, this case is **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED, the hearing set to begin in Detroit, Michigan, on January 30, 2025, is **CANCELED**.

Done and dated January 22, 2025
Baltimore, Maryland

A handwritten signature in cursive script, reading "Lineka N. Quijano". The signature is written in black ink and features a long, sweeping flourish at the end.

**HON. LINEKA N. QUIJANO
ADMINISTRATIVE LAW JUDGE
UNITED STATES COAST GUARD**