

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

UNITED STATES COAST GUARD,)	
Complainant,)	
)	Docket Number: 2025-0002
vs.)	
)	Enforcement Activity Number: 8020447
BERNARD CHEVALIER,)	
Respondent.)	

DEFAULT ORDER

Issued: June 10, 2025

By Order of Administrative Law Judge: Hon. Jennifer A. Mehaffey

Appearances:

For the Coast Guard

LT Amanda Barnett
USCG Sector Jacksonville

For the Respondent

Bernard Chevalier, *Pro se*

ORDER GRANTING COAST GUARD'S MOTION FOR DEFAULT ORDER

On January 6, 2025, the United States Coast Guard Sector Jacksonville (Coast Guard) filed a Complaint, dated January 6, 2025, against Bernard Chevalier (Respondent) seeking to revoke his Merchant Mariner Credential (MMC) for drug use as described by 46 U.S.C. § 7704(b) and defined by 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges Respondent took a non-46 C.F.R. Part 16 drug test on December 20, 2023, in which Respondent's urine specimen tested positive for marijuana metabolite.

The Coast Guard filed its Return of Service for Complaint on January 15, 2025, indicating it served a copy of said Complaint to Respondent's residence by FedEx express courier service. A person of suitable age and discretion residing at this residence signed for the document on January 7, 2025. As set forth in the Complaint, Respondent's Answer is due within 20 days of receipt in accordance with 33 C.F.R. § 20.308. Respondent's Answer was due no later than January 27, 2025. To date, Respondent has neither filed an Answer nor requested an extension of time to file an Answer.

The Coast Guard filed its Motion for Default Order (Default Motion) on April 2, 2025, requesting the Administrative Law Judge (ALJ) issue a Default Order against Respondent imposing the sanction asked for in the Complaint. The Coast Guard subsequently filed a Return of Service for the Default Motion showing it served a copy of said Default Motion to Respondent's residence by FedEx express courier service. A person of suitable age and discretion residing at this residence signed for the document on April 4, 2025.

Title 33 C.F.R. § 20.310 provides "the respondent alleged to be in default shall file a reply to the motion 20 days or less after service of the motion." Accordingly, Respondent's

reply to the Coast Guard's Default Motion was due no later than April 24, 2025. To date, Respondent has not filed his reply.

On April 30, 2025, the ALJ Docketing Center assigned this matter to the undersigned for review and adjudication. After careful review of this file, I find the applicable provisions of 33 C.F.R. §§ 20.310 and 20.304 have been complied with and Respondent is in **DEFAULT**. Under 33 C.F.R. § 20.310(c) a default constitutes an admission of all facts alleged in the Complaint and a waiver of Respondent's right to a hearing.

Accordingly, I find the violations alleged in the Complaint are **PROVED**. I have carefully reviewed the Complaint and the Default Motion and further find the proposed sanction of revocation is appropriate under the provisions of 46 C.F.R. § 5.569.

SANCTION

IT IS HEREBY ORDERED that Respondent Bernard Chevalier's Merchant Mariner Credential is **REVOKED**.

IT IS FURTHER ORDERED that Respondent immediately surrender his MMC to the Investigating Officer at the United States Coast Guard Sector Jacksonville, 10426 Alta Drive, Jacksonville, FL 32226. If Respondent knowingly continues to use his credentials, he may be subject to criminal prosecution.

PLEASE TAKE NOTICE that under 33 C.F.R. § 20.310(e), for good cause shown, an Administrative Law Judge may set aside this finding of Default. Respondent may file a motion to set aside the finding with the ALJ Docketing Center, Baltimore, MD.

PLEASE TAKE FURTHER NOTICE that service of this Order upon Respondent serves to notify Respondent of his right to appeal as set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated June 10, 2025
New York, NY



HON. JENNIFER A. MEHAFFEY
Administrative Law Judge
United States Coast Guard