

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

UNITED STATES COAST GUARD,
Complainant,

v.

DESHAWN TREMOND JAMES,
Respondent.

DOCKET NO: 2025-0018
MISLE ACTIVITY ID. 8060905

HONORABLE GEORGE J. JORDAN
ADMINISTRATIVE LAW JUDGE

DEFAULT ORDER

This matter comes before me based on the United States Coast Guard's (Coast Guard) Motion for Default Order (Motion for Default). As of the date of this order, Deshawn Tremond James (Respondent) has not replied to the Complaint nor the Motion for Default. Upon review of the record and pertinent authority, the allegations in the Complaint are **PROVED**.

On January 14, 2025, the Coast Guard issued a Complaint against Respondent seeking to revoke his Merchant Mariner Credential (MMC) for being a user of a dangerous drug in violation of 46 U.S.C. § 7704(b) and 46 C.F.R. § 5.35. Specifically, the Coast Guard alleges Respondent tested positive for marijuana metabolites after taking a required drug test.

On March 14, 2025, the Coast Guard filed its Amended Return of Service for the Complaint providing the Complaint was served upon Respondent by express courier service to his residence signed for by a person of suitable age and discretion on February 19, 2025. Subsequently, the Coast Guard filed a Motion for Default on April 8, 2025. Attached to Coast Guard's Return of Service for the Motion for Default filed on April 8, 2025, is the express courier service proof of delivery receipt providing the Motion for Default was served on Respondent, by evidence of the delivery to and being signed for by Respondent on April 4, 2025.

To date, more than twenty days have passed from service of the Motion for Default and Respondent has neither filed an answer nor requested an extension of time to file an answer. 33 C.F.R. § 20.308(a). As Respondent has neither filed an answer nor asserted good cause for failing to do so, I find Respondent in **DEFAULT**. 33 C.F.R. § 20.310(a); Appeal Decision 2700 (THOMAS) (2012). A default constitutes an admission of all facts alleged in the Complaint and waiver of the right to hearing on those facts. 33 C.F.R. § 20.310(c). I find the following factual allegations in the Complaint **ADMITTED**:

1. On December 4, 2024, Respondent took a non-46 C.F.R. Part 16 drug test administered by Galliano Marine Service, LLC.
2. A urine specimen was collected from Respondent by Brandon Pellegrin of Edison Chouest Offshore Companies, Cut Off, Louisiana.
3. Respondent signed a Drug Testing Custody and Control Form for providing urine specimen ID# 1639129.
4. Urine specimen ID# 1639129 was received by and subsequently analyzed by Quest Diagnostics, Lenexa, Kansas, a SAMHSA certified laboratory.
5. On December 10, 2024, urine specimen ID# 1639129 tested positive for marijuana metabolites (THCA), as reported by Quest Diagnostics.
6. On December 10, 2024, after review and interpretation of the results, Dr. James R. Patterson, the Medical Review Officer, reported that Respondent tested positive for marijuana metabolites.
7. Respondent has been the user of a dangerous drug, as described by 46 U.S.C. § 7704(b).

Upon finding Respondent in default, I must now issue a decision against him. 33 C.F.R. § 20.310(d). In reviewing the record, I find that the facts deemed admitted are sufficient to establish Respondent is a user of a dangerous drug, as outlined in 46 U.S.C. § 7704(b), 46 C.F.R. § 16.201(b), Appeal Decision 2556 (LINTON) (1994), Appeal Decision 2603 (HACKSTAFF)

(1998), and Appeal Decision 2704 (FRANKS) (2014). Accordingly, I find Respondent is a user of a dangerous drug.

SANCTION

Having found Respondent in default and all allegations in the Complaint proved, I now must determine the appropriate sanction. 33 C.F.R. § 20.902(a)(2). While it is within the sole discretion of the Administrative Law Judge to determine the appropriate sanction at the conclusion of a case. Appeal Decision 2362 (ARNOLD) (1984). A proved allegation that a mariner is a user of a dangerous drug carries a mandatory sanction of revocation of their MMC unless they can prove cure. 46 U.S.C. § 7704(b). The Coast Guard proved Respondent is a user of dangerous drug, thus the only sanction to levy is revocation.

WHEREFORE,

ORDER

Upon consideration of the record, I find Respondent in **DEFAULT**.

IT IS HEREBY ORDERED, in accordance with 33 C.F.R. § 20.310, I find the allegations set forth in the Complaint **PROVED**.

IT IS FURTHER ORDERED, all of Respondent's Coast Guard issued credentials, including Respondent's Merchant Mariner Credential (MMC), are **REVOKED**.

IT IS FURTHER ORDERED, Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including MMC [REDACTED], [REDACTED], Z00043417, by mail, courier service, or in person to: LT Juan Patino, U.S. Coast Guard Marine Safety Unit Lafayette, 315 S. College Rd. Ste 195, Lafayette, LA 70503. In accordance with 18 U.S.C. § 2197, if **Respondent knowingly continues to use the Coast Guard issued MMC, Respondent may be subject to criminal prosecution.**

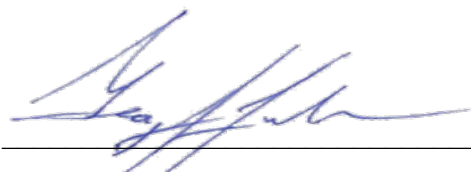
IT IS FURTHER ORDERED, pursuant to 33 C.F.R. § 20.310(e), for good cause shown, an ALJ may set aside a finding of default. A motion to set aside a finding of default may be filed with the ALJ Docketing Center in Baltimore. The motion may be sent to the U.S. Coast Guard Administrative Law Judge Docketing Center; Attention: Hearing Docket Clerk; Room 412; 40 S. Gay Street; Baltimore, MD 21202-4022.

PLEASE TAKE NOTICE, within three (3) years or less, Respondent may file a motion to reopen this matter and seek modification of the order of revocation upon a showing that the order of revocation is no longer valid, and the issuance of a new license, certificate, or document is compatible with the requirement of good discipline and safety at sea. See generally 33 C.F.R. § 20.904.

PLEASE TAKE NOTICE, service of this Default Order on the parties serves as notice of appeal rights set forth in 33 C.F.R. § 20.1001-20.1004 (Attachment A).

SO ORDERED.

Done and dated, May 9, 2025,
Seattle, Washington



GEORGE J. JORDAN
UNITED STATES COAST GUARD
ADMINISTRATIVE LAW JUDGE