

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

UNITED STATES COAST GUARD,)	
Complainant,)	
)	Docket Number: 2025-0085
vs.)	
)	Enforcement Activity Number: 8075625
MARQUIS JAMALE FRANKLIN,)	
Respondent.)	

DEFAULT ORDER

Issued: June 10, 2025

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

Appearances:

For the Coast Guard

Eric A. Bauer
USCG Suspension and Revocation
National Center of Expertise

For the Respondent

Marquis Jamale Franklin, *Pro se*

ORDER GRANTING COAST GUARD'S MOTION FOR DEFAULT ORDER

On March 6, 2025, the United States Coast Guard Suspension and Revocation National Center of Expertise (Coast Guard) filed a Complaint against Marquis Jamale Franklin (Respondent) seeking to revoke his Merchant Mariner Credential (MMC).¹ The Coast Guard alleges Respondent is a security risk who poses a threat to the safety or security of a vessel or structure located within or adjacent to the marine environment, as described by 46 U.S.C. § 7703(5).

Specifically, on September 1, 2024, the Transportation Security Administration (TSA) determined Respondent does not meet the security threat assessment standards described in 49 C.F.R. § 1572.5 and poses an imminent security threat in accordance with 49 C.F.R. § 1572.21(d)(3), thereby revoking his Transportation Worker Identification Credential (TWIC) in accordance with 49 C.F.R. § 1572.5(b). In aggravation, the Coast Guard states, Respondent's ineligibility to possess a TWIC is proof he is not eligible for an MMC, in accordance with 46 C.F.R. §§ 10.101 and 10.235(h).

The Coast Guard filed its Return of Service for Complaint on March 10, 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 March 10, 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 March 31, 2025, because March 30, 2025, was a Sunday. To date, Respondent has neither filed an Answer nor requested an extension of time to file an Answer.

¹ The Coast Guard dated the Complaint and the Certificate of Service for the Complaint as February 20, 2025, but it was not submitted to FedEx and filed with the Coast Guard ALJ Docketing Center until two weeks later, on March 6, 2025. I find the difference in the dates to be de minimis and it does not affect my approval of the Motion for Default Order.

The Coast Guard filed its Motion for Default Order (Default Motion) on April 8, 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 10, 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 30, 2025. To date, Respondent has not filed his reply.

On May 5, 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 Marquis Jamale Franklin'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 Suspension and Revocation National Center of Expertise, 100 Forbes Drive, Martinsburg, WV 25404. 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