

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

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**UNITED STATES COAST GUARD,**

Complainant,

vs.

**DERRICK VAUGHAN,**

Respondent.

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Docket Number 2025-0259  
Enforcement Activity No. 8071842

**DEFAULT ORDER**

**Issued: July 22, 2025**

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

**Appearances:**

**David Forrest  
Sector Virginia**

**For the Coast Guard**

**Derrick Vaughan, pro se**

**For Respondent**

## **Background**

On May 19, 2025, the Coast Guard filed a Complaint against Derrick Vaughan (Respondent). The Return of Service for Complaint filed by the Coast Guard indicates the Complaint was delivered to Respondent's residence by Express Courier Service and signed for by a person of suitable age and discretion residing at the residence on May 20, 2025 (Attachment A<sup>1</sup>).

On June 16, 2025, the Coast Guard filed a Motion for Default Order (Motion), explaining Respondent failed to file an Answer, and the response time has passed. See 33 C.F.R. § 20.308. The Return of Service for Motion for Default states the Motion was delivered to Respondent's residence by Federal Express and signed for by a person of suitable age and discretion residing at the residence on June 18, 2025 (Attachment B<sup>2</sup>). The Chief Administrative Law Judge assigned the matter to me on July 14, 2025.

## **Discussion**

The applicable regulations require a respondent to "file a written answer to the complaint 20 days or less after service of the complaint." 33 C.F.R. § 20.308(a). An administrative law judge (ALJ) may find a respondent in default "upon failure to file a timely answer to the complaint or, after motion, upon failure to appear at a conference or hearing without good cause shown." 33 C.F.R. § 20.310(a). Default constitutes an admission of all facts alleged in a complaint and a waiver of respondent's right to a hearing on those facts. 33 C.F.R. § 20.310(c).

The Complaint filed by the Coast Guard and properly served on Respondent contained instructions that clearly stated "YOU MUST RESPOND TO THIS COMPLAINT WITHIN 20 DAYS" and provided the applicable regulatory provision, 33 C.F.R. § 20.308. The instructions

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<sup>1</sup> The Coast Guard's Return of Service for the Complaint does not indicate the person that signed for receipt of the document. However, the Fedex proof of service attached to the Return of Service for the Complaint shows that "C. Vaughan" signed for the document.

<sup>2</sup> The Fedex Proof of Service attached to the Return of Service for the Motion for Default indicates that "T. Fisher" signed for the document.

also informed Respondent an extension of time could be requested “within 20 days” of receipt. Respondent failed to respond to the Complaint or the Motion for Default Order.

Accordingly, I find Respondent in default pursuant to 33 C.F.R. § 20.310(a). Default constitutes an admission of all facts alleged in the Complaint and a waiver of the right to a hearing. 33 C.F.R. § 20.310(c). See Appeal Decision 2682 (REEVES) (2008).

Turning to the allegations in the Complaint, the Coast Guard alleges on or about the second week of December 2022 and January 27, 2023, Respondent made unwelcome verbal comments of a sexual nature to a shipmate. On May 12, 2025, the Coast Guard made an official finding Respondent’s actions on the second week of December 2022 and January 27, 2023 are sexual harassment as defined by 46 § 2101(46)(C). As such, Respondent is the subject of an official finding of sexual harassment.. See 46 U.S.C. § 7704(c)(1)(B) and 46 U.S.C. § 7704a(a).

Therefore, I find these facts as admitted are legally sufficient to find Respondent’s is the subject of an official finding of sexual harassment as defined by 46 U.S.C. § 7704a(c)(1)(B) in violation of 46 U.S.C. § 7704a(a) **PROVED**. Id. The facts alleged in the Complaint are sufficient to warrant the suggested sanction of **FIVE MONTHS OUTRIGHT SUSPENSION**. See 46 U.S.C. § 7704a(a).

**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 **SUSPENDED OUTRIGHT FOR FIVE MONTHS**.

**IT IS FURTHER ORDERED**, Respondent shall immediately deliver all Coast Guard issued credentials, licenses, certificates, or documents, including the MMC, by mail, courier service, or in person to: USCG Sector Virginia, 200 Granby St., Norfolk, VA 23510. 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 21201-4022.

**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 C).

**SO ORDERED.**



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

Done and dated July 22, 2025, at  
Alameda, California