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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Dawn Mooney,

Respondent

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HPA Docket No. 06-0003

Consent Decision
and Order

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Dawn Mooney admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Dawn Mooney is an individual whose mailing address is 120 Duncan Road, Bradford, Arkansas 72020. At all times mentioned herein said respondent was the owner of the horse known as "Power of Effort."

2. On September 5, 2004, respondent Dawn Mooney showed or exhibited the horse known as "Power of Effort" as entry number 813 in the Ladies Gaited class number 8, at the Annual Arkansas State Horse Show in Little Rock, Arkansas.

3. On September 5, 2004, respondent Dawn Mooney entered for the purpose of showing or exhibiting the horse known as "Power of Effort" as entry number 813 in the Ladies Gaited class number 8, at the Annual Arkansas State Horse Show in Little Rock, Arkansas.

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

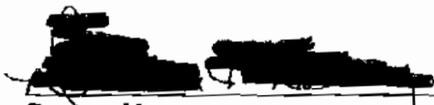
Order

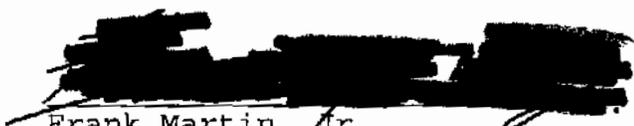
Respondent Dawn Mooney is disqualified for one year beginning January 1, 2006, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale

or auction. "Participating" means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

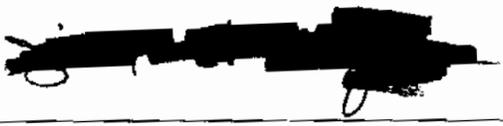
This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance on the respondent.

Copies of this decision shall be served upon the parties.


Dawn Mooney
Respondent


Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 23 day of December, 2005


Administrative Law Judge
Jill S. Clifton