

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) P. & S. Docket No. D-12-0360
)
Dustin Ryan Conley)
d/b/a Dustin Conley Cattle Co.)
)
)
Respondent) Consent Decision and Order

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.), by a complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that respondent Dustin Ryan Conley, doing business as Dustin Conley Cattle Co., willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 et seq.). This decision is entered pursuant to the consent decision provision of the rules of practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondent 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

Respondent Dustin Ryan Conley, who does business as Dustin Conley Cattle Co., is an individual who has a mailing address of P.O. Box 333, Cooper, TX, 75432.

Respondent at all times material was:

- (1) Engaged in the business of a dealer buying and selling livestock in commerce for his own account and as a market agency buying livestock on a commission basis; and
- (2) Not registered with the Secretary of Agriculture as a dealer buying and selling livestock in commerce for his own account or as a market agency buying livestock on commission.

Conclusions

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

Order

Respondent Dustin Ryan Conley doing business as Dustin Conley Cattle Co., his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from:

1. Buying and selling livestock in commerce without being properly registered with GIPSA; and
2. Buying and selling livestock in commerce without maintaining an adequate bond or bond equivalent.

Respondent Dustin Ryan Conley doing business as Dustin Conley Cattle Co. is prohibited from being registered and from engaging in any activities for which registration is required under the Act for a period of thirty (30) days and thereafter until such time as respondent demonstrates to the satisfaction of GIPSA that he has an adequate bond or bond equivalent and that he is in full compliance with the Act. Provided that respondent demonstrates to the satisfaction of GIPSA that he has an adequate bond or bond equivalent and that he is in full compliance with the Act, after the expiration of the initial 30-day period, upon application to GIPSA a supplemental order may be issued terminating the prohibition on respondent being registered. At such time and thereafter, any application for registration that respondent may file with GIPSA will be processed in accordance with standard GIPSA procedures.

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective on the sixth day after service of this consent decision and Order on the respondent.

Copies of this decision shall be served upon the parties.

[REDACTED]
Dustin Ryan Conley
Respondent, for himself and for
Dustin Conley Cattle Co.

[REDACTED]
Joyce W. Lindauer
Attorney for Respondent

[REDACTED]
Krishna G. Ramaraju
Attorney for Complainant

Done at Washington, D.C.

this 29th day of May, 2012

[REDACTED]
[REDACTED]
for Chief Judge [REDACTED]
Administrative Law Judge

JANICE K. BULLARD