

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P. & S. Docket No. D-11-0442
)
Larry Conley)
)
Respondent)
)
) Decision without Hearing by
) Reason of Consent

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 Programs, Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, alleging that Respondents 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 provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

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.

Complainant agrees to the entry of this decision.

Findings of Fact

1. Larry Conley is an individual whose business mailing address is P.O. Box 453, Cooper, Texas 75432.

2. Larry Conley, at all times material to this complaint, is:

(a) Engaged in the business of a dealer, buying and selling livestock in commerce for his own account or the account of others;

(b) With Stephen Conley, was responsible for day-to-day direction, management, and control of the partnership of Conley & Conley Trading.

(c) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

3. Larry Conley is no longer registered with the Secretary of Agriculture, his registration having expired on June 1, 2011, due to his failure to file an annual report.

4. Conley & Conley Trading is a partnership made up of Respondents Larry Conley and Stephen Conley.

Conclusions

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

Order

Respondent, his agents and employees, directly or through any corporate or other device, in connection with his activities subject to the Act, shall cease and desist from failing to pay and failing to pay, when due, the full purchase price of livestock.

Respondent shall keep records that fully and correctly disclose all transactions involved in his business, as required by section 401 of the Act (7 U.S.C. § 221), including load make-up records, purchases, sales, bank records, and receipts.


Respondent Larry Conley is prohibited from registering under the Act for 2 years.

The provisions of this order shall become final and effective on issuance.

Copies of this decision shall be served upon the parties.

Done at Washington, D.C.

this 17th day of October, 2012


Administrative Law Judge

JANICE K. UARD

[REDACTED]

Larry ~~Stephen~~ Conley
Respondent

[REDACTED]

Heath Hyde, Attorney
Respondent

[REDACTED]

Jonathan D. Gordy
Attorney for Complainant