

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) [AWA-D]
) Docket No. **13-0077**
Karri Murphy)
)
Petitioner) **Decision and Order**

1. The Petitioner is Karri Murphy (Petitioner Murphy), who represents herself (appears *pro se*) and also represents Safari's Wildlife Sanctuary, Inc.

2. The Respondent is the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), represented by Colleen A. Carroll, Esq.

3. Chief Judge Davenport assigned this case to me on November 27, 2012. Petitioner Murphy was unresponsive to my Preliminary Instructions filed December 14, 2012:

(a) Petitioner Murphy failed to file with the Hearing Clerk a copy of the denial letter referenced in her Petition;

(b) Petitioner Murphy failed to file her current contact information with the Hearing Clerk by January 9, 2013; and

(c) Petitioner Murphy failed to contact Legal Secretary Marilyn ("Nita") Kennedy by January 16, 2013, so that we could schedule a telephone conference.

4. Consequently, I will decide this case on the written record (Petition filed November 6, 2012; and Response filed November 26, 2012).

Findings of Fact, Conclusions, and Order

5. APHIS's denial of the application for a USDA Animal Welfare Act license is **AFFIRMED**.

6. Petitioner Karri Murphy and Safari's Wildlife Sanctuary, Inc. are disqualified from being granted a USDA Animal Welfare Act license for a period of 1 year from the effective date of this Order. This Order is effective on the day after this Decision becomes final (*see* the following section regarding finality).

7. Petitioner Karri Murphy and Safari's Wildlife Sanctuary, Inc. may apply for an Animal Welfare Act license 60 days prior to the end of the 1 year period of disqualification, with the understanding that no license will issue until disqualification has ended.

Finality

8. This Decision and Order shall be final without further proceedings 35 days after service unless an appeal to the Judicial Officer is filed with the Hearing Clerk within 30 days after service, pursuant to section 1.145 of the Rules of Practice (7 C.F.R. § 1.145, see enclosed Appendix A).

Copies of this Decision and Order shall be served by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.
this 17th day of January 2013

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

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