

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) HPA Docket No. 11-0314
)
Richard Evans,)
) Consent Decision
) and Order
Respondent.)

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), 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 admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Richard Evans is an individual whose mailing address is 650 Tonkin Road, Mt. Sterling, Kentucky 40353.
2. At all times material hereto, respondent Richard Evans was the trainer of the horse known as "Centennial's Copy Cat" and exhibited this horse as Entry No. 187, Class No. 77, on September 20, 2008, at the 43rd Annual Kentucky Celebration Horse Show at Liberty, Kentucky.

3. On September 20, 2008, respondent Richard Evans exhibited the horse known as "Centennial's Copy Cat" as Entry No. 187, in Class No. 77, at the 43rd Annual Kentucky Celebration Horse Show at Liberty, Kentucky.

Conclusions


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


Order

Respondent is disqualified for eight months 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 on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.


Richard Evans
Respondent


Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.
this 10 day of MAR, 2014


Administrative Law Judge

Jill S. Clifton