

UNITED STATES DEPARTMENT OF AGRICULTURE

2017 SEP 1 PM 2: 04

BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:	)	HPA Docket No. 17-0138
	)	HPA Docket No. 17-0139
KAREN L. BEAN, an individual;	)	HPA Docket No. 17-0140
WILLIAM BEAN, an individual;	)	HPA Docket No. 17-0141
JERROD CAGLE, an individual;	)	HPA Docket No. 17-0143
STEPHANIE CAGLE, an individual;	)	HPA Docket No. 17-0145
DIANA CRUSE, an individual;	)	HPA Docket No. 17-0147
CHARLES RAY GREEN, an individual	)	HPA Docket No. 17-0149
dba CHARLIE GREEN STABLES;	)	HPA Docket No. 17-0150
PAM HENDRICKSON, an individual;	)	HPA Docket No. 17-0151
DEREK MONAHAN, an individual dba	)	HPA Docket No. 17-0153
DEREK MONAHAN STABLES;	)	HPA Docket No. 17-0154
JEANNE ROBERTS, an individual;	)	HPA Docket No. 17-0156
JIM ROBERTS, an individual;	)	HPA Docket No. 17-0157
MARY LOU ROLLINS, an individual;	)	HPA Docket No. 17-0158
ROBERT W. ROLLINS, an individual;	)	
GINGER WILLIAMS, an individual;	)	
MICHAEL WRIGHT, an individual;	)	
and RONAL YOUNG, an individual,	)	
	)	
Respondents.	)	CONSENT DECISION AND ORDER AS TO RESPONDENT ROBERT W. ROLLINS

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 12, 2017, alleging that the respondents violated the Act.

Respondent Robert W. Rollins admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Robert W. Rollins, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 4, 2017. 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).

#### Findings of Fact

1. Respondent Robert W. Rollins is an individual residing in [REDACTED] and at all times mentioned herein was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).

2. On or about September 2, 2016, respondent Robert W. Rollins allowed the entry of a horse she owned (Tarheel's Pushin' Jose), for the purpose of showing the horse, in class 166 in a horse show in Shelbyville, Tennessee.

#### Conclusion of Law

Respondent Robert W. Rollins having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

#### Order

1. Respondent Robert W. Rollins is disqualified for four months, beginning September 4, 2017, and ending January 3, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Robert W. Rollins is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is

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<sup>1</sup>"Participating" means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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.

in reference to HPA Docket No. 17-0154, and sent to:

USDA, APHIS, MISCELLANEOUS  
P.O. Box 979043  
St. Louis, Missouri 63197-9000

The provisions of this order shall become final and effective as of September 4, 2017.

This order may be executed in counterparts. Copies of this decision shall be served upon the parties.



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Robert W. Rollins  
Respondent




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Thomas B. Kakassy  
Attorney for Respondent

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Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.  
this 11<sup>th</sup> day of September 2017

Bobbie J. McCartney  
Chief Administrative Law Judge

in reference to HPA Docket No. 17-0154, and sent to:

USDA, APHIS, MISCELLANEOUS  
P.O. Box 979043  
St. Louis, Missouri 63197-9000

The provisions of this order shall become final and effective as of September 4, 2017.

This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

\_\_\_\_\_  
Robert W. Rollins  
Respondent

  
Colleen A. Carroll  
Attorney for Complainant

\_\_\_\_\_  
Thomas B. Kakassy  
Attorney for Respondent

Done at Washington, D.C.  
this 14<sup>th</sup> day of September 2017

  
Bobbie J. McCarthey  
Chief Administrative Law Judge

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY																
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature</p> <p><b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>																
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<p>2. Article Number (Transfer from service label)</p> <div style="background-color: black; width: 100%; height: 20px;"></div>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p>17-0153 Consent 17-0154 Decision</p>																
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table> <p>Domestic Return Receipt</p>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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**CERTIFICATE OF SERVICE**

Robert W. Rollins, Respondent

Docket No: 17-0154

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the CONSENT DECISION AND ORDER AS TO RESPONDENT ROBERT W. ROLLINS has been furnished and was served upon the following parties on September 11, 2017 by the following:

USDA (OGC) - Electronic Mail

Colleen Carroll, OGC

[Colleen.Carroll@ogc.usda.gov](mailto:Colleen.Carroll@ogc.usda.gov)

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Respondents Counsel – Electronic & Certified Mail


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Amy Choate (Administrative Assistant)

[Amy@Kakassylaw.com](mailto:Amy@Kakassylaw.com)

Respectfully Submitted,

  
Caroline Hill, Assistant Hearing Clerk  
USDA/Office of Administrative Law Judges  
Hearing Clerk's Office, Rm. 1031-S  
1400 Independence Ave., SW  
Washington, DC 20250-9203