

2017 SEP 15 PM 3:44

UNITED STATES DEPARTMENT OF AGRICULTURE

RECEIVED

BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0061
)	HPA Docket No. 17-0062
JIMBO CONNER, an individual; and)	
CHRIS HELTON, an individual,)	
)	
Respondents.)	ORDER AS TO RESPONDENT
)	CHRIS HELTON

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 December 29, 2017, alleging that the respondents violated the Act.

Respondent Chris Helton 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 Helton, 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 Chris Helton 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 1, 2016, respondent Chris Helton entered a horse he owned (Undecided) for the purpose of showing the horse, in class 156 in a horse show in Shelbyville,

Tennessee.

Conclusion of Law

Respondent Chris Helton 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 Chris Helton is disqualified for four months, beginning January 1, 2018, and ending April 30, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Chris Helton 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 in reference to HPA Docket No. 17-0062, and sent to:

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

////

////

////

////

¹“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.

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.

[Redacted]

Chris Helton
Respondent

[Redacted]

Thomas B. Kakassy
Attorney for Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 5th day of September 2017

[Redacted]

Channing D. Strother
Administrative Law Judge

CERTIFICATE OF SERVICE

Chris Helton, Petitioner
Docket: 17-0062

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 SIGNED ORDER AS TO RESPONDENT CHRIS HELTON has been furnished and was served upon the following parties on September 15, 2017 by the following:

USDA OGC - Electronic Mail
Colleen Carroll, OGC
Lisa Jabaily, OGC
Ada Quick, OGC


USDA (APHIS)- Electronic Mail
IESLegals@aphis.usda.gov
ac.rss.mailbox@aphis.usda.gov

Petitioner(s) – Representatives- Electronic Mail
Thomas B. Kakassy
tom@kakassylaw.com

and

F. Braxton Terry
cheri@terry-lawfirm.com

Respectfully Submitted,


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