

REC'D - USDA/OALJ/DHC  
2019 SEP 27 AM 10:50

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Brad Spivey, an individual (HPA Docket No. **17-0175**),  
Respondent.

**Dismissal With Prejudice**

Appearances:

Elizabeth M. Kruman, Esq., with the Office of the General Counsel, United States Department of Agriculture, 1400 Independence Avenue, SW, Washington D.C. 20250, for the Complainant (APHIS);<sup>1</sup> and

Karin Cagle, Esq., Fort Worth, TX, for the Respondent Brad Spivey.

DISMISSAL is requested of the complaint that was filed January 12, 2017 against Respondent Brad Spivey (Docket No. **17-0175**). The request for DISMISSAL is contained in the Motion and proposed Order filed September 23, 2019, by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (“APHIS” or “Complainant”).

Accordingly, the claims against Respondent Brad Spivey in the complaint that was filed January 12, 2017 (Docket No. **17-0175**) are DISMISSED WITH PREJUDICE, which means they cannot be brought again.

Copies of this “Dismissal With Prejudice” order shall be sent by the Hearing Clerk to each of the parties.

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1. The Complainant is the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (“APHIS” or “Complainant”).

Done at Washington, D.C.  
this 27<sup>th</sup> day of September 2019



Jill S. Clifton  
Administrative Law Judge

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