

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Attila Molnar, an individual, ) AWA Docket 20-J-0146  
)  
) CONSENT DECISION  
) AND ORDER  
Petitioner. )

REC'D - USDA/OALJ/OHC  
2021 MAR 22 AM 9:11

This proceeding was instituted by a petition filed by the Petitioner for review of a license denial by Animal Care, Animal and Plant Health Inspection Service, under the Animal Welfare Act, as amended (7 U.S.C. § 2131 *et seq.*) (AWA or 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).

The Petitioner specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the reasons for the denial, waives oral hearing and all further procedure, waives all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Consent Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the USDA under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by the Petitioner in connection with this proceeding or any action against any USDA employee in their individual capacity in connection with this proceeding.

The parties consent and agree for the purpose of settling this proceeding, to the entry of this decision.

### FINDINGS OF FACT

1. The Petitioner, Atilla Molnar, is an individual who lives in California.
2. Petitioner's mailing address shall not be provided herein to protect Petitioner's privacy, but Petitioner was served with the denial letter.
3. The Petitioner applied for an AWA Class C Exhibitor License ("License") on August 28, 2019.
4. The License was denied in a letter dated June 29, 2020.
5. The Petitioner withdrew his petition.

### CONCLUSIONS OF LAW

The Petitioner WITHDREW the petition for review in this License denial matter. Consequently, this case is dismissed, with prejudice. APHIS's denial of the application for a License at issue here is AFFIRMED.

### ORDER

1. The Petitioner withdraws his appeal regarding the License denial dated June 29, 2020 and the denial letter is final.
2. The appeal is dismissed with prejudice and the Agency's denial of the License application is affirmed;
3. The Petitioner may apply for a License effective on the date of signature by the Administrative Law Judge or at anytime thereafter;
4. The Agency makes no guarantees as to the issuance of a new License. The Agency agrees not to use the California Department of Fish & Wildlife (CDFW) findings and/or reports and/or complaints, in any manner, as it relates to the baby squirrel monkey referenced in the Restricted Species Inventory of Animals provided with the Petitioner's CDFW permit renewal,

dated July 19, 2019, in determining Petitioner's fitness in any new License application. The Agency reserves the right to investigate and determine whether or not to issue a new License.

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

By:



Attila Molnar  
The Petitioner

By:



Michael Goch  
Attorney for the Petitioner

By:



John V. Rodriguez  
Attorney for the Respondent

By:



Tracey Manoff  
Attorney for the Respondent

IT IS SO ORDERED

Done at Washington, D.C.,  
this 22 day of March 2021

By: Tierney Carlos  
Carlos Tierney  
Administrative Law Judge