

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	P&S Docket No. 20-J-0026
Jordan Dillon d/b/a)	
L and D Cattle,)	
)	
Respondent)	Consent Decision and Order

This proceeding was instituted under the Packers and Stockyards Act of 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*) (the Act) by a Complaint filed by the Deputy Administrator of the Fair Trade Practices Program, Agricultural Marketing Service, United States Department of Agriculture, alleging that the Respondent willfully violated the Act and the regulations promulgated thereunder (9 C.F.R. § 201.1 *et seq.*) (Regulations). This consent decision is entered pursuant to the consent decision provision of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondent Jordan Dillon, doing business as L and D Cattle (Respondent), admits the jurisdictional allegations in paragraph I of the Complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and 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 Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waives any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by respondent in connection with this proceeding or any action against any USDA employee in their individual capacity, and consents and agrees, for the purpose of settling this proceeding and for such purpose only, to the entry of this consent decision.

Complainant agrees to the entry of this consent decision.

Findings of Fact

1. Respondent Jordan Dillon, doing business as L and D Cattle (Respondent or Dillon), is an individual whose business mailing address is 1410 Melton Road, Sanger, Texas 76266.

2. Respondent is, and at all times material herein was:

a) Engaged in the business of a dealer buying and selling livestock in commerce for his own account and for the accounts of others;

b) Not registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

Conclusions of Law

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

Order

1. Respondent Jordan Dillon d/b/a L and D Cattle, his agents and employees, directly or through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from:

a) engaging in business in any capacity for which registration and bonding are required under the Act and the regulations promulgated thereunder without first becoming properly registered under the Act as required by section 201.10(a) of the regulations (9 C.F.R. § 201.10(a)), and without filing and maintaining an adequate bond or its equivalent as required by the Act and by sections 201.29 and 201.30 of the regulations (9 C.F.R. §§ 201.29 and 201.30)

b) Failing to pay, when due, the full purchase price of livestock in accordance with section 409 of the Act (7 U.S.C. § 228b), and section 201.43 of the Regulations (9 C.F.R. § 201.43).

c) Failing to maintain sufficient funds on deposit and available in the account upon which payment checks are drawn to pay such checks when presented, as required by section 312(a) of the Act (7 U.S.C. § 213(a)).

d) Failing to keep and maintain all accounts, records, and memoranda that fully and accurately disclose all transactions involved in respondent's business, as required by section 401 of the Act (7 U.S.C. § 221).

2. Pursuant to 7 U.S.C. § 204, respondent, operating individually or through any corporate or other device, is prohibited from registering under the Act, or operating in a capacity for which registration and bond is required, for a period of ten (10) years. This ten-year prohibition shall begin upon the effective date of this order.

3. In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), Respondent is assessed a civil penalty in the amount of twenty-two thousand dollars (\$22,000), of which one thousand five hundred dollars (\$1,500) is due and payable immediately upon the effective date of this order. The remainder of the civil penalty, twenty thousand five hundred dollars (\$20,500), shall be held in abeyance for a period of five (5) years, provided that the Respondent complies with all terms of the consent decision and order as stated above. After the five (5) year abeyance period, if the Respondent has not violated any terms in this consent decision and order and has paid the initial civil penalty amount of \$1,500, then payment of the remainder of Respondent's civil penalty held in abeyance, twenty thousand five hundred dollars (\$20,500), shall be permanently abated (reduced to

zero dollars) and Respondent's civil penalty will be considered paid in its entirety. If Respondent does violate terms of this order, the entire payment of \$22,000 shall become due immediately. If Respondent violates the terms of this order at any point during the five (5) year abeyance period, the amount held in abeyance (\$20,500) shall become due immediately.

4. The civil penalty of one thousand five hundred dollars (\$1,500), due and payable immediately upon the effective date of this order shall be paid by certified check or money order made payable to the Treasurer of the United States and sent to USDA AMS, PO Box 790335, St. Louis, Missouri 63179-0335. The certified check or money order shall include the docket number of this proceeding, Docket No. 20-J-0026.

This order shall have the same force and effect as if entered after a full hearing. The provisions of this order shall become effective on the day after service of this order on the Respondent.

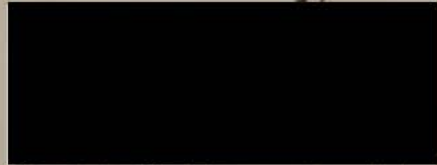
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Copies of this decision and order shall be served upon the parties.

Done at Washington, D.C.

this ____ day of ____, 2021

Chief Administrative Law Judge



Respondent Jordan Dillon d/b/a
L and D Cattle

Rupa Chilukuri
Attorney for Complainant

Copies of this decision and order shall be served upon the parties.

Done at Washington, D.C.

this 9th day of April, 2021

Channing D. Strother

Chief Administrative Law Judge

Channing D. Strother

Rupa
Chilukuri

Digitally signed by
Rupa Chilukuri
Date 2021 04 09
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Respondent Jordan Dillon d/b/a
L and D Cattle

Rupa Chilukuri
Attorney for Complainant