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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	HPA Docket No. 16-0072
	)	HPA Docket No. 16-0074
SHEA SPROLES; and GARY SPROLES,	)	
	)	
Respondents.	)	
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In re:	)	HPA Docket No. 17-0033
	)	
SHEA MCKENZIE SPROLES, an	)	
individual,	)	
	)	CONSENT DECISION
Respondent.	)	AND ORDER
	)	AS TO GARY SPROLES

These consolidated proceedings were instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by complaints filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on March 1, 2016, and December 23, 2016, respectively, alleging that the respondents violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

Respondent Gary Sproles admits the jurisdictional allegations as to him, 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 Gary Sproles, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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 Gary Sproles 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 issued pursuant to the Act (9 C.F.R. § 11.1 et seq.).

2. On or about May 17, 2013, respondent Gary Sproles allowed the entry of a horse he owned (Liar Liar) for showing in class 22 in a horse show in Harriman, Tennessee.

#### Conclusions of Law

Respondent Gary Sproles, 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 Gary Sproles is assessed a civil penalty of \$550, to be paid by January 1, 2019, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 16-0074, and sent to:

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

2. Respondent Gary Sproles is disqualified for four months, beginning January 1, 2019, and ending April 30, 2019, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.<sup>1</sup>

The provisions of this order shall become effective immediately. Copies of this decision

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<sup>1</sup>"Participating" means engaging in any activity beyond that of a spectator, 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.

shall be served upon the parties.

[Redacted]

Gary Sproles  
Respondent

[Redacted]

Thomas B. Kakassy  
Attorney for Respondent

[Redacted]

Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.,  
this 28<sup>th</sup> day of November 2018

[Redacted]

Channing D. Strother  
Administrative Law Judge

*Chief*