

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	HPA Docket No. 17-0021
	)	
BRETT BOYD, an individual,	)	
	)	
Respondent.	)	CONSENT
	)	DECISION AND ORDER

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 23, 2016, alleging that the respondent violated the Act.

Respondent Brett Boyd 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 Brett Boyd, 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 Brett Boyd 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 August 27, 2016, respondent Brett Boyd entered a horse (Generating the Command), for the purpose of showing the horse, in class 81 in a horse show in Shelbyville, Tennessee.

3. On or about August 28, 2016, respondent Brett Boyd entered a horse (The Sportster), for the purpose of showing the horse, in class 85 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Brett Boyd 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 Brett Boyd is disqualified for one year, beginning January 1, 2018, and ending December 31, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating<sup>1</sup> in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Brett Boyd is assessed a civil penalty of \$1,650, which shall be paid by January 1, 2018, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0021, and sent to:

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

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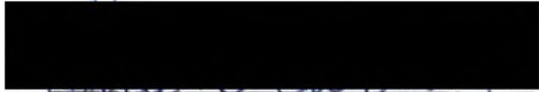
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<sup>1</sup>“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, and includes, without limitation, transporting or arranging for the transportation of 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 be final and effective on January 1, 2018. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.



Colleen A. Carroll  
Attorney for Complainant



Brett Boyd  
Respondent

Done at Washington, D.C.,  
this 10 day of JAN 2018



Jill S. Clifton  
Administrative Law Judge