

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)
)
Justin Harris) [HPA] Docket No. 13-0347
)
Respondent)

Consent Decision

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821e1831), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable, to this proceeding (7 C.F.R. § I J 38).

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, and consents and agrees, for the purpose of settling the alleged violations in this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision. No part of this consent decision is to be construed to limit additional proceedings against Respondent Harris, including, but not limited to, alleged violations of the Act that may have occurred as a result of entry and/or showing of horses on: November, 14, 2015 at

the Walking for the Angels Horse Show; March 18, 2016 at the National Walking Horse Trainers Show; April 2, 2016 at the Mississippi Charity Horse Show; May 26, 2016 at the Spring Fun Show; July 15, 2016 at the Cornersville Lions Club Horse Show; and, August 25-27, 2016 at the Tennessee Walking Horse National Celebration.

Findings of Fact

1. Respondent Justin Harris is an individual whose mailing address is (b) (6)
(b) (6)
2. On or about July 27, 2012, respondent Justin Harris entered for the purpose of showing or exhibiting the horse known as "Jose's High Society" as entry number 292 in class number 24, at the Marshall County Horseman's Association Horse Show in Lewisburg, Tennessee.
3. On or about August 3, 2012, respondent Justin Harris entered for the purpose of showing or exhibiting the horse known as "Mr. Onyx" as entry number 233 in class number 13, at the Belfast Lions Club 52"d Annual Horse Show in Belfast, Tennessee.
4. On or about August 26, 2012, respondent Justin Harris entered for the purpose of showing or exhibiting the horse known as "I'm Innocent" as entry number 204 in class number 93, at the 74rd Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee.

Conclusions


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

Order

1. Respondent is assessed a civil penalty of \$2,200
2. Respondent Justin Harris is disqualified for 16 months, beginning December 12, 2016, and continuing through April 13 2018, from showing, exhibiting, or entering my 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. "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
3. Within thirty (30) days of the effective date of this order, Respondent shall send a certified check or money order in the amount of two thousand two hundred dollars (\$2,200), payable to the Treasurer of the United States to USDA APHIS General, P.O. Box 979043, St. Louis, Missouri, 63197-9000. The certified check or money order shall include the docket number, D-13-0347, for this proceeding.

This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance.

Copies of this decision shall be served upon the parties.



Justin Harris,
Respondent



Jonathan Gordy
Attorney for Complainant

Done at Washington, D.C.
this 12 of December 2016



Administrative Law Judge
Jill S. Clifton