

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0142
)	HPA Docket No. 17-0144
MIKE CHANDLER, an individual;)	HPA Docket No. 17-0152
NANCY EVANS, an individual;)	HPA Docket No. 17-0155
PAUL DAVID ROBBINS, an individual;)	
and BILL WEBB, an individual,)	CONSENT DECISION AND
)	ORDER AS TO RESPONDENT
Respondents)	NANCY EVANS

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*) (Act) by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 12, 2017, alleging that the respondents 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. § 1.138).

Respondent Nancy Evans admits the jurisdictional allegations in the complaint, 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 to the entry of this decision, for the purpose of settling this proceeding. The complainant agrees to the entry of this decision.

Findings of Fact

1. At all times mentioned herein, respondent Nancy Evans was an individual residing in [REDACTED] and 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 August 26, 2016, respondent Nancy Evans allowed a horse that she owned (Chumlee) to be entered in class 54 in a horse show in Shelbyville, Tennessee.

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Conclusions of Law

Respondent Nancy Evans 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 Nancy Evans is assessed a civil penalty of \$550, which shall be paid in full by September 4, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket 17-0144, and sent to:

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

2. Respondent Nancy Evans is disqualified for four months, beginning September 4, 2017, and ending January 3, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

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¹“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 any area where spectators are not allowed, and financing the participation of others in equine events.

The provisions of this order shall become final and effective July 10, 2017. Copies of this decision shall be served upon the parties.

[Redacted]

Nancy Evans
Respondent

[Redacted]

R. Craig Evans
Attorney for Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this ~~30th~~ day of July 2017

[Redacted]

August
Acting Chief Judge, for

Jill S. Clifton
Administrative Law Judge

CERTIFICATE OF SERVICE

Nancy Evans, Petitioner

Docket: 17-0144

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the CONSENT DECISION AND ORDER AS TO RESPONDENT NANCY EVANS has been furnished and was served upon the following parties on August 30, 2017 by the following:

USDA OGC - Electronic Mail

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Respectfully Submitted,



Caroline Hill, Assistant Hearing Clerk
USDA/Office of Administrative Law Judges
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