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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Bobby Morgan,)	Docket No. HPA 16-0073
)	
Respondent)	Consent Decision and Order

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), 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. § 1.138).

Respondent admits the jurisdictional allegations in paragraph I of the complaint and specifically admits that the Secretary has jurisdiction in this matter, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Bobby Morgan is an individual who resides in Tennessee.
2. At all times material hereto, respondent was the custodian of the horse known as "Black Gin's Hot Stuff" during the pre-show inspection.

3. On or about June 21, 2013, Respondent Bobby Morgan entered for the purpose of showing or exhibiting the horse known as "Black Gin's Hot Stuff" as Entry No. 713, Class No. 10, at the 44th Annual Tennessee Classic Horse Show in Gray, Tennessee.

4. At all times material hereto, Respondent Bobby Morgan was the custodian of the horse known as "Liar Liar" during the pre-show inspection.

5. On or about May 17, 2013, Respondent Bobby Morgan entered for the purpose of showing or exhibiting the horse known as "Liar Liar" as Entry No. 345, Class No. 22, at the 29th Annual Smoky Mountain Classic in Harriman, Tennessee.

Conclusions


Respondent Bobby Morgan having admitted the jurisdictional facts and finding of facts, and the parties having agreed to the entry of this decision, such decision will be entered.


Order

Respondent Bobby Morgan is disqualified for three years 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. "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.

This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.


Bobby Morgan
Respondent


Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.
this 21st day of July, 2016


Administrative Law Judge CAJ