

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	PACA-APP Docket No. 04-0014
)	
Donald R. Beucke,)	
)	
Petitioner)	
)	
	and	
In re:)	PACA-APP Docket No. 04-0020
)	
Keith K. Keyeski,)	
)	
Petitioner)	Stay Order as to Donald R. Beucke

On November 8, 2006, I issued a Decision and Order: (1) concluding Donald R. Beucke [hereinafter Petitioner Beucke] was responsibly connected with Bayside Produce, Inc., when Bayside Produce, Inc., violated the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. §§ 499a-499s) [hereinafter the PACA]; and (2) subjecting Petitioner Beucke to the licensing restrictions under section 4(b) of the PACA and the employment restrictions under section 8(b) of the PACA (7 U.S.C. §§ 499d(b), 499h(b)).¹

On November 20, 2006, Petitioner Beucke filed “Petitioner Donald Beucke’s Expedited Motion to Stay Imposition of Licensing and Employment Restrictions Pending

¹*In re Donald R. Beucke*, __ Agric. Dec. ____ (Nov. 8, 2006).

Judicial Review” stating Petitioner Beucke intends to seek judicial review of *In re Donald R. Beucke*, ___ Agric. Dec. ___ (Nov. 8, 2006), and requesting a stay of the order in *In re Donald R. Beucke*, ___ Agric. Dec. ___ (Nov. 8, 2006), pending the outcome of proceedings for judicial review.

In accordance with 5 U.S.C. § 705, Petitioner Beucke’s motion for stay is granted.

For the foregoing reasons, the following Order should be issued.

ORDER

The order in *In re Donald R. Beucke*, ___ Agric. Dec. ___ (Nov. 8, 2006), is stayed pending the outcome of proceedings for judicial review. This Stay Order as to Donald R. Beucke shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

Done at Washington, DC

November 28, 2006

William G. Jenson
Judicial Officer