

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) HPA Docket No. 02-0002
)
Darrall S. McCulloch,)
Phillip Trimble, and) **Stay Order as to**
Silverstone Training, L.L.C.,) **Phillip Trimble**

On March 27, 2003, I issued a Decision and Order as to Phillip Trimble:

(1) concluding that Phillip Trimble [hereinafter Respondent] violated the Horse Protection Act of 1970, as amended (15 U.S.C. §§ 1821-1831); (2) assessing Respondent a \$2,200 civil penalty; and (3) disqualifying Respondent for a period of 1 year from showing, exhibiting, or entering any horse and from managing, judging, or otherwise participating in any horse show, horse exhibition, horse sale, or horse auction. *In re Darrall S. McCulloch* (Decision as to Phillip Trimble), 62 Agric. Dec. ____ (Mar. 27, 2003).

On April 18, 2003, Respondent filed a notice of appeal and petition for review of *In re Darrall S. McCulloch* (Decision as to Phillip Trimble), 62 Agric. Dec. ____ (Mar. 27, 2003), in the United States Court of Appeals for the Sixth Circuit.¹ On April 22, 2003, Respondent filed “Motion for Stay of Order” [hereinafter Motion for Stay] requesting a

¹*Trimble v. United States Dep’t of Agric.*, No. 03-3568 (6th Cir. Apr. 18, 2003).

stay of the Order in *In re Darrall S. McCulloch* (Decision as to Phillip Trimble), 62 Agric. Dec. ____ (Mar. 27, 2003), pending judicial review. On April 23, 2003, Sharlene Deskins, counsel for the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter Complainant], by telephone, informed Gloria Derobertis, a legal technician employed by the Office of the Judicial Officer, that Complainant does not object to Respondent's Motion for Stay.

In accordance with 5 U.S.C. § 705, Respondent's Motion for Stay is granted.

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

ORDER

The Order issued in *In re Darrall S. McCulloch* (Decision as to Phillip Trimble), 62 Agric. Dec. ____ (Mar. 27, 2003), is stayed pending the outcome of proceedings for judicial review. This Stay Order as to Phillip Trimble shall remain effective until the Judicial Officer lifts it or a court of competent jurisdiction vacates it.

Done at Washington, DC

April 25, 2003

William G. Jenson
Judicial Officer