

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) HPA Docket No. 01-0023
)
Mike Turner and Susie Harmon,)
)
Respondents) **Stay Order**

On October 26, 2005, I issued a Decision and Order: (1) concluding Mike Turner and Susie Harmon [hereinafter Respondents] violated the Horse Protection Act of 1970, as amended (15 U.S.C. §§ 1821-1831); (2) assessing each Respondent a \$2,200 civil penalty; and (3) disqualifying each Respondent for 1 year from showing, exhibiting, or entering any horse and from judging, managing, or otherwise participating in any horse show, horse exhibition, horse sale, or horse auction.¹

On November 30, 2005, Respondents filed a Motion for Stay of Judgment stating Respondents had filed a timely petition for review of *In re Mike Turner*, 64 Agric. Dec. ____ (Oct. 26, 2005), with the United States Court of Appeals for the Sixth Circuit and requesting a stay of the Order in *In re Mike Turner*, 64 Agric. Dec. ____ (Oct. 26, 2005), pending the outcome of proceedings for judicial review. On December 2, 2005, the Administrator, Animal and Plant Health Inspection Service, United States Department of

¹*In re Mike Turner*, 64 Agric. Dec. ____ (Oct. 26, 2005).

Agriculture [hereinafter Complainant], filed a response to Respondents' November 30, 2005, motion stating Complainant does not oppose Respondents' motion for stay.

In accordance with 5 U.S.C. § 705, Respondents' November 30, 2005, Motion for Stay of Judgment is granted.

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

ORDER

The Order in *In re Mike Turner*, 64 Agric. Dec. ____ (Oct. 26, 2005), is stayed pending the outcome of proceedings for judicial review. This Stay Order shall remain effective until lifted by the Judicial Officer or vacated by a court of competent jurisdiction.

Done at Washington, DC

December 8, 2005

William G. Jenson
Judicial Officer