

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

08-0111-000006
10/13/08

In re:)	HPA Docket No. 08-0111
)	
Terry Logan Lunsford,)	
Terry Wayne Sims also known as Terry Sims)	Consent Decision
and Charles Sims,)	and Order
)	
Respondents)	

Consent Decision as to Terry Logan Lunsford

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 *et seq.*), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, 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 Terry Logan Lunsford admits the jurisdictional allegations in paragraph I of the complaint and 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, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

A. Respondent Terry Logan Lunsford is an individual whose mailing address is 1320 Scott Lane, Nicholasville, Kentucky 40356.

B. At all times material herein, respondent Terry Logan Lunsford was the owner of a horse known as "HBO". At all material times herein Terry Logan Lunsford was the owner of a horse known as "It Happened at the Ritz."

C. At all times material herein, respondent Terry Logan Lunsford, was the scheduled rider of the horse known as "HBO" and the horse known as "It Happened at the Ritz."

D. On or about April 20, 2007, respondents Terry Logan Lunsford entered and allowed the entry of "HBO" as Entry No. 47, Class No. 27 in the Spring Jubilee Charity Horse Show in Harrodsburg, Kentucky for the purpose of showing or exhibiting the horse.

E. On or about May 5, 2007, respondent Terry Logan Lunsford entered and allowed the entry of a horse known as "It Happened at the Ritz" as Entry No. 47, Class no. 66 at the Derby Classic Horse Show in Harrodsburg, Kentucky.

Conclusions

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

Order

1. Respondent Terry Logan Lunsford is disqualified for sixteen uninterrupted months 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.

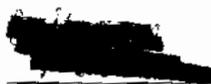
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This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondents.

Copies of this decision shall be served upon the parties.



Terry Logan Lunsford
Respondent



Sharlene A. Deskins
Attorney for Complainant

Done at Washington, D.C.
this 3rd day of August, 2009



Peter M. Davenport
Administrative Law Judge