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UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0052
)	HPA Docket No. 17-0053
BRIANNE EASTRIDGE, an individual;)	HPA Docket No. 17-0054
HOWARD EASTRIDGE, an individual;)	HPA Docket No. 17-0055
COURTNEY GRIDER, an individual; and)	
CHARLES E. TOOLEY, an individual,)	
)	CONSENT DECISION AND
Respondents.)	ORDER AS TO RESPONDENT
)	CHARLES E. TOOLEY

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 28, 2016, alleging that the respondents violated the Act.

Respondent Charles E. Tooley admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, and waives oral hearing and further procedure. The parties consent and agree to the entry of this decision for the purpose of settling this proceeding as to respondent Charles E. Tooley, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 4, 2017. 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).

Findings of Fact

1. Respondent Charles E. Tooley is an individual residing in [REDACTED] and at all times mentioned herein was a "person" and an "exhibitor," as those terms are defined in the regulations promulgated under the Act (9 C.F.R. Parts 11 and 12).

2. On or about August 26, 2016, respondent Charles E. Tooley entered a horse (Miss

Empty Pockets), for the purpose of showing the horse, in class 53 in a horse show in Shelbyville, Tennessee.


Conclusion of Law

Respondent Charles E. Tooley having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

Order


Respondent Charles E. Tooley is disqualified for six months, beginning November 1, 2017, and ending April 30, 2018, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

The provisions of this order shall become final and effective on November 1, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.


Charles E. Tooley
Respondent

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 30 day of OCT 2017



Jill S. Clifton
Administrative Law Judge

¹“Participating” means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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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