

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) HPA Docket No. 13-0287
)
Patricia Kelly Sherman,)
Larry D. George, and)
William O. Young,)
)
Respondents)

In re:) HPA Docket No. 13-0290
)
Beverly T. Sherman,)
and Larry D. George,)
)
Respondents)

) Consent Decision and Order
) as to only **Larry D. George**,
) with regard to both Docket
) Nos. 13-0287 and 13-0290
)

These proceedings were instituted under the Horse Protection Act (“Act”), as amended (15 U.S.C. §§ 1821 et seq.), by two complaints filed by the Administrator, Animal and Plant Health Inspection Service (“APHIS”), United States Department of Agriculture (“USDA”), alleging that the respondents violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138), and pertains only to respondent Larry D. George (“respondent George”) with regard to both HPA docket numbers 13-0287 and 13-0290.

Respondent George admits the jurisdictional allegations in paragraph I of both complaints 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 these proceedings and for such purpose only, to the entry of this

decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent George is an individual whose mailing address is 1803 Highway 64 West, Shelbyville, Tennessee 37160-6322.

2. On November 12, 2011, respondent George entered the horse known as "He's A Jazz Thing" as entry number 816 in class number 54, in the 2011 Delta Fall Classic at Tunica, Mississippi, for the purpose of showing or exhibiting the horse.

3. On November 12, 2011, respondent George entered the horse known as "She's Sugarland" as entry number 830 in class number 48, in the 2011 Delta Fall Classic at Tunica, Mississippi, for the purpose of showing or exhibiting the horse.

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 George is assessed a civil penalty of \$2,200, which shall be received by APHIS by August 29, 2014. The civil penalty shall be paid by certified check, payable to the "Treasurer of the United States". The certified check shall include the docket numbers of these proceedings, namely **HPA Docket No. 13-0287 and 13-0290**. The certified check shall be mailed to: USDA / APHIS, P.O. Box 979043, St. Louis, MO 63197-9000.

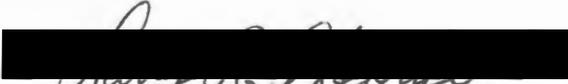
2. Additionally, respondent George is disqualified for a period of twelve months from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or

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.

3. By signing this consent decision, respondent George certifies that, as of September 1, 2013, he has not shown, exhibited, or entered any horse, directly or indirectly through any agent, employee, or other device, nor has he judged, managed or otherwise participated in any horse show, horse exhibition, or horse sale or auction. Accordingly, respondent George's disqualification period began on September 1, 2013, and will terminate on September 1, 2014, provided that the United States has received from respondent George the assessed \$2,200 civil penalty.

4. If respondent George fails to pay the assessed civil penalty by August 29, 2014, his disqualification shall remain in effect until the first day after APHIS receives payment of the assessed civil penalty.

5. This order shall have the same effect as if entered after a full hearing. Copies of this decision shall be served upon the complainant and respondent George. This order shall become effective on the first day after service of this decision on the respondent.


Larry D. George
Respondent

[REDACTED]

Jack G. Heffington
Jack G. Heffington
Attorney for Respondent

[REDACTED]

Susan C. Golabek
Attorney for Complainant

Done at Washington, D.C.,
this 12 day of DEC, 2013

[REDACTED]

Administrative Law Judge

Jill S. CLIFTON