

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:

Sandra L. Shumate-Tysor,

Respondent.

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HPA Docket No. 13-0298

Consent Decision
and Order

Consent Decision and Order as to Sandra L. Shumate-Tysor

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. §§ 1821-1831), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondent 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 Sandra L. Shumate-Tysor admits the jurisdictional allegations as set forth herein 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.

Conclusions

1. Respondent Sandra L. Shumate-Tysor is an individual whose mailing address is 4745 Ascot Drive, Cummings, Georgia 30028.

2. On or about August 27, 2011, respondent Sandra L. Shumate-Tysor entered for the purpose of showing or exhibiting the horse known as "Be Bopper" as entry number 332 in class number 77, at the 73rd Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee.

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


Order


1. Respondent Sandra L. Shumate-Tysor is disqualified for eight (8) 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.

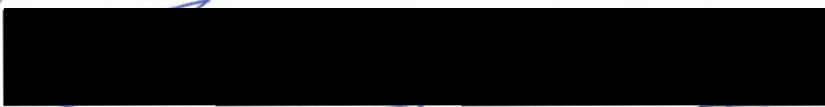
2. Respondent Sandra L. Shumate-Tysor is assessed a civil penalty of \$1,100.

This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance on the respondent Sandra L. Shumate-Tysor.


Copies of this decision shall be served upon the parties.


Sandra L. Shumate-Tysor
Respondent


Patrick J. McDonough
Attorney for Respondent


Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 23 day of JAN, 2014


Administrative Law Judge

Jill S. Clifton