

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:) HPA Docket No. 17-0096
) HPA Docket No. 17-0104
BRAD BEARD, an individual, also)
known as WILLIAM BRADLEY)
BEARD; and CLIFF WILSON,)
an individual,)
)
Respondents) CONSENT DECISION AND ORDER AS
TO RESPONDENT CLIFF WILSON

REC'D - USDA/OALJ/OHC
2019 JUN 18 PM3:12

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on January 10, 2017, alleging that the respondents violated the Act.

Respondent Cliff Wilson admits the jurisdictional allegations in the second amended complaint as to him, 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 Cliff Wilson, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 2, 2018. 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 Cliff Wilson is an individual residing in (b) (6) 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 Cliff Wilson entered a horse (Ritzie General) for showing in class 55 in a horse show in Shelbyville, Tennessee.

3. On or about August 27, 2016, respondent Cliff Wilson entered a horse (Anthony Davis) for showing in class 81 in a horse show in Shelbyville, Tennessee.

4. On August 28, 2016, respondent Cliff Wilson entered a horse (The Dixie Label) for showing in class 94B in a horse show in Shelbyville, Tennessee.

5. On or about August 31, 2016, respondent Cliff Wilson entered a horse (Nightshades Maiden) for showing in class 139 in a horse show in Shelbyville, Tennessee.

6. On or about September 3, 2016, respondent Cliff Wilson entered a horse (Gin Fusion) for showing in class 187 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Cliff Wilson 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 Cliff Wilson is disqualified for five years, beginning September 1, 2019, and ending August 31, 2024, 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.

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.

The provisions of this order shall become final and effective on June 15, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Colleen A. Carroll
Attorney for Complainant

[Redacted]

Cliff Wilson
Respondent

Done at Washington, D.C.,
this 12th day of June 2019

[Redacted]

Chief ALJ
on Behalf and Direction of Jill S. Clifton
Jill S. Clifton
Administrative Law Judge