

BEFORE THE SECRETARY OF AGRICULTURE

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| In re: |) | HPA Docket 17-0132 |
| |) | HPA Docket 17-0134 |
| JANNIE CHAPMAN, an individual; and |) | |
| BOBBY HUGH, an individual, |) | |
| |) | CONSENT DECISION AND |
| Respondents. |) | ORDER AS TO RESPONDENT |
| |) | JANNIE CHAPMAN |

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 January 11, 2017, alleging that the respondents violated the Act.

Respondent Jannie Chapman 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 Chapman, and resolving any and all other alleged or potential violations of the Act by her occurring up to and including August 30, 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 Jannie Chapman 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 September 1, 2016, respondent Jannie Chapman allowed the entry of a horse she owned (I Am the Rock, Jr.), for the purpose of showing the horse, in class 153 in a

horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Chapman 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

1. Respondent Chapman is disqualified for four months, beginning January 1, 2018, 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.

2. Respondent Chapman is assessed a civil penalty of \$550, which shall be paid by October 1, 2017, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0132, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

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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 as of August 30, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.



Jannie Chapman
Respondent



Thomas B. Kakassy
Attorney for Respondent

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 1st day of September 2017

 *Acting Chief*
Judge, for

Bobbie J. McCartney
Chief Administrative Law Judge

The provisions of this order shall become final and effective as of August 30, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

Jannie Chapman
Respondent



Colleen A. Carroll
Attorney for Complainant

Thomas B. Kakassy
Attorney for Respondent

Done at Washington, D.C.,
this 1st day of ~~September~~ 2017



Acting Chief Judge;

JDC

Bobbie J. McCartney
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

Jannie Chapman, Respondent

Docket: 17-0132

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the CONSENT DECISION SIGNED FOR JANNIE CHAPMAN has been furnished and was served upon the following parties on September 1, 2017 by the following:

USDA (OGC) - Electronic Mail

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Respondent's Representative – Electronic Mail

Docket Number: 17-0132

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Respectfully Submitted,



Reneé Leach-Carlos, Hearing Clerk
USDA/Office of Administrative Law Judges
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