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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: [illegible] PEEBLES, an individual doing business as DICK PEEBLES STABLES, Respondent.	HPA Docket No. 16-0028
In re: DICK PEEBLES, an individual; and SHARON PEEBLES, an individual, Respondents.	HPA Docket No. 17-0048 HPA Docket No. 17-0049 CONSENT DECISION AND ORDER AS TO RESPONDENT J.W. PEEBLES, ALSO KNOWN AS DICK PEEBLES

These proceedings were instituted under the Horse Protection Act (15 U.S.C. § 1031 *et seq.*)(HPA or Act), by (1) a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 14, 2015, and an amended complaint filed on October 28, 2016, alleging that respondent J.W. Peebles, also known as Dick Peebles, an individual doing business as Dick Peebles Stables, violated the Act, and (2) a complaint filed on December 23, 2016, alleging that respondents Dick Peebles and Sharon Peebles violated the Act.

Respondent J.W. Peebles, referred to herein as Dick Peebles, admits the jurisdictional allegations in the complaints as to him (HPA Docket No. 16-0028 and HPA Docket No. 17-0048), specifically admits that the Secretary has jurisdiction in this matter, 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 these proceedings as to respondent Dick Peebles, 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 Dick Peebles 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 April 26, 2013, respondent Dick Peebles showed a horse (José's Night Train) in class 33 in a horse show in Panama City Beach, Florida.

3. On November 6, 2015, respondent Dick Peebles entered a horse (Crooked Line) for showing in class 25 in a horse show in Tunica, Mississippi.

4. On or about April 2, 2016, respondent Dick Peebles entered a horse (Mason Dixie Line) for showing in class 6A in a horse show in Jackson, Mississippi.

5. On May 27, 2016, respondent Dick Peebles entered a horse (Hendrix) for showing in class 21 in a horse show in Shelbyville, Tennessee.

6. On June 17, 2016, respondent Dick Peebles entered a horse (On Probation) for showing in class 21 in a horse show in Shelbyville, Tennessee.

7. On June 30, 2016, respondent Dick Peebles entered a horse (Paroled in High Cotton) for showing in class 7 in a horse show in Shelbyville, Tennessee.

8. On July 15, 2016, respondent Dick Peebles entered a horse (MP2) for showing in class 22 in a horse show in Cornersville, Tennessee.

9. On or about August 25, 2016, respondent Dick Peebles entered a horse (Swish the Net) for showing in class 26A in a horse show in Shelbyville, Tennessee.

10. On or about August 30, 2016, respondent Dick Peebles entered a horse (San Diego) for showing in class 130A in a horse show in Shelbyville, Tennessee.

11. On or about September 2, 2016, respondent Dick Peebles entered a horse (Hendrix) for showing in class 173 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Dick Peebles 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 Dick Peebles is disqualified for three years, beginning December 1, 2019, and ending November 20, 2022, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating[1] in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

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The provisions of this order shall become final and effective on February 8, 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]

Dick Peebles
Respondent

[redacted]

Done at Washington, D.C.,
this 6th day of February 2019

[redacted]

Chief Administrative Law Judge
Channing D. Strother

[CLARITY COPY - FOR EASE OF READING]

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: J.W. PEEBLES, also known as DICK PEEBLES, an individual doing business as DICK PEEBLES STABLES, Respondent.	)	HPA Docket No. 16-0028
In re: DICK PEEBLES, an individual; and SHARON PEEBLES, an individual, Respondents.	)	HPA Docket No. 17-0048 HPA Docket No. 17-0049 CONSENT DECISION AND ORDER AS TO RESPONDENT J.W. PEEBLES, ALSO KNOWN AS DICK PEEBLES

These proceedings were instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by (1) a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 14, 2015, and an amended complaint filed on October 28, 2016, alleging that respondent J.W. Peebles, also known as Dick Peebles, an individual doing business as Dick Peebles Stables, violated the Act, and (2) a complaint filed on December 23, 2016, alleging that respondents Dick Peebles and Sharon Peebles violated the Act.

Respondent J.W. Peebles, referred to herein as Dick Peebles, admits the jurisdictional allegations in the complaints as to him (HPA Docket No. 16-0028 and HPA Docket No. 17-0048), specifically admits that the Secretary has jurisdiction in this matter, 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 these proceedings as to respondent Dick Peebles, and resolving any and all other alleged or potential violations of the Act by him occurring up to and

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Findings of Fact

1. Respondent Dick Peebles 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 April 26, 2013, respondent Dick Peebles showed a horse (José's Night Train) in class 33 in a horse show in Panama City Beach, Florida.

3. On November 6, 2015, respondent Dick Peebles entered a horse (Crooked Line) for showing in class 25 in a horse show in Tunica, Mississippi.

4. On or about April 2, 2016, respondent Dick Peebles entered a horse (Mason Dixie Line) for showing in class 62 in a horse show in Jackson, Mississippi.

5. On May 27, 2016, respondent Dick Peebles entered a horse (Hendrix) for showing in class 21 in a horse show in Shelbyville, Tennessee.

6. On June 17, 2016, respondent Dick Peebles entered a horse (On Probation) for showing in class 21 in a horse show in Shelbyville, Tennessee.

7. On June 30, 2016, respondent Dick Peebles entered a horse (Paroled in High Cotton) for showing in class 7 in a horse show in Shelbyville, Tennessee.

8. On July 15, 2016, respondent Dick Peebles entered a horse (MP2) for showing in class 22 in a horse show in Cornersville, Tennessee.

9. On or about August 25, 2016, respondent Dick Peebles entered a horse (Swish the Net) for showing in class 26A in a horse show in Shelbyville, Tennessee.

10. On or about August 30, 2016, respondent Dick Peebles entered a horse (San Diego) for showing in class 130A in a horse show in Shelbyville, Tennessee.

11. On or about September 2, 2016, respondent Dick Peebles entered a horse (Hendrix) for showing in class 173 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Dick Peebles 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 Dick Peebles is disqualified for three years, beginning December 1, 2019, and ending November 20, 2022, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating[1] in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

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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.

[CLARITY COPY - FOR EASE OF READING]

The provisions of this order shall become final and effective on February 8, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

Colleen A. Carroll
Attorney for Complainant

Dick Peebles
Respondent

Done at Washington, D.C.,
this 6th day of February 2019

Chief Administrative Law Judge

Channing D. Strother