

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Dockets 15-0152, 15-0153,
)	15-0154, 15-0155
CRICKET HOLLOW ZOO, INC., an Iowa)	
corporation; PAMELA J. SELLNER, an)	
individual; THOMAS J. SELLNER, an)	
individual; and PAMELA J. SELLNER)	
TOM J. SELLNER, a Iowa general)	
partnership doing business as CRICKET)	
HOLLOW ZOO,)	
)	
Respondents.)	CONSENT DECISION

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.)(Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the regulations and standards issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). 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).

Respondents admit the jurisdictional allegations in the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, waive all rights to seek judicial review and otherwise challenge or contest the validity of this decision, including waiving challenges to the Administrative Law Judge's authority to enter this Decision and Order under the Administrative Procedure Act and the Constitution of the United States, and waive any action against the United States Department of Agriculture under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504

et seq.) for fees and other expenses incurred by respondent in connection with this proceeding or any action against any USDA employee in their individual capacity.

The parties consent and agree for the purpose of settling this proceeding, to the entry of this decision. 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). The complainant agrees to the entry of this decision.

FINDINGS OF FACT

1. Cricket Hollow Zoo, Inc. ("CHZI"), is an Iowa corporation whose agent for service of process is Respondent Pamela J. Sellner, 1512 210th Street, Manchester, Iowa 52057. At all times mentioned herein, CHZI was an exhibitor, as that term is defined in the AWA and the Regulations, did not hold an AWA license and, together with the other Respondents, operated a zoo exhibiting wild and exotic animals in Manchester, Iowa.

2. Pamela J. Sellner is an individual doing business as Cricket Hollow Zoo, and whose business address is 1512 210th Street, Manchester, Iowa 52057. At all times mentioned herein, Mrs. Sellner was an exhibitor as that term is defined in the AWA and the Regulations and, together with the other Respondents herein, operated a zoo exhibiting wild and exotic animals in Manchester, Iowa.

3. Thomas J. Sellner is an individual doing business as Cricket Hollow Zoo, and whose business address is 1512 210th Street, Manchester, Iowa 52057. At all times mentioned herein, Mr. Sellner was an exhibitor as that term is defined in the AWA and the Regulations and, together with the other Respondents herein, operated a zoo exhibiting wild and exotic animals in Manchester, Iowa.

4. Pamela J. Sellner Tom J. Sellner (the "Sellner Partnership") is an alleged Iowa general partnership whose partners are Mr. Sellner and Mrs. Sellner, and whose business address is 1512 210th Street, Manchester, Iowa 52057. At all times mentioned herein, the alleged Sellner Partnership was an exhibitor, as that term is defined in the AWA and the Regulations, and held AWA license 42-C-0084, and together with the other Respondents herein, operated a zoo exhibiting wild and exotic animals in Manchester, Iowa.

CONCLUSION OF LAW

Respondents 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. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the Regulations and Standards.

2. Animal Welfare Act license 42-C-0084 is hereby revoked. Respondents will not apply for any other Animal Welfare Act license hereafter.

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties. This agreement may be executed in counterparts.

Cricket Hollow Zoo, Inc.,
an Iowa corporation


Pamela Sellner
Respondent

By: 
Respondent


Thomas Sellner
Respondent


Ciarra Toomey
Attorney for Complainant


Larry Thorson
Attorney for Respondents

Done at Washington, D.C.,
this 10th day of April 2020


Tierney Carlos
Administrative Law Judge