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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re: JACKIE BARRON; RUSSELL "DUKE" INGRAM; SHEA SPROLES; BOBBY MORGAN; and GARY SPROLES, Respondents.	HPA Docket No. 16-0070 HPA Docket No. 16-0071 HPA Docket No. 16-0072 HPA Docket No. 16-0073 HPA Docket No. 16-0074
In re: JACKIE BARRON, an individual; and SHEA MCKENZIE SPROLES, an individual, Respondents.	HPA Docket No. 17-0032 HPA Docket No. 17-0033 CONSENT DECISION AND ORDER AS TO RUSSELL "DUKE" INGRAM

These consolidated proceedings were instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(HPA or Act), by complaints filed by the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on March 1, 2016, and December 23, 2016, respectively, alleging that the respondents violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

Respondent Russell Ingram admits the jurisdictional allegations as to him in the complaint in HPA Docket No. 16-0070, *et seq.*, 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 Russell Ingram, and resolving any and all other alleged or potential violations of the Act by him occurring up to and including September 13, 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

Respondent Russell "Duke" Ingram 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 issued pursuant to the Act (9 C.F.R. § 11.1 et seq.).

Conclusions of Law

Respondent Russell Ingram, 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 Russell Ingram is assessed a civil penalty of $550, to be paid by September 30, 2018, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 16-0071, and sent to:

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

2. Respondent Russell Ingram is disqualified for four months, beginning November 1, 2018, and ending February 28, 2019, 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, directly or indirectly through any agent, employee, or other device.[1]

[1]"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.

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

[redacted]

Russell Ingram
Respondent

[redacted]

Thomas B. Kakassy
Attorney for Respondent

[redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 17th day of October 2018

[redacted]

Channing D. Strother
Administrative Law Judge