

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) HPA Docket 17-0146
)
WINSTON GROOVER,)
an individual doing business as)
GROOVER STABLES,)
)
Respondent.) CONSENT DECISION AND ORDER

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, on January 12, 2017, alleging that the respondent 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 Winston Groover admits the jurisdictional allegations in the complaint and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees to the entry of this decision, for the purpose of settling this proceeding. The complainant agrees to the entry of this decision.

Findings of Fact

Winston Groover, also known as Winky Groover, is an individual doing business as Groover Stables, and whose business mailing address is (b) (6)

(b) (6) At all times mentioned herein, Mr. Groover 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.*).

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Conclusions of Law

Respondent Winston Groover has admitted the facts set forth above and the parties have agreed to the entry of this decision. Therefore, such decision will be entered.

Order

Respondent Winston Groover is disqualified for two years, beginning May 30, 2017, and ending May 29, 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

The provisions of this order shall become effective May 30, 2017. Copies of this decision shall be served upon the parties.


Colleen A. Carroll
Attorney for Complainant


Winston Groover
Respondent

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


Administrative Law Judge

Channing D. Strother

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.

CERTIFICATE OF SERVICE

Winston Groover, Petitioner
Docket: 17-0146


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 NOTICE OF LODGING OF CONSENT DECISION AND ORDER AS TO WINSTON T. GROOVER, PROPOSED CONSENT DECISION AND ORDER and CONSENT DECISION AND ORDER has been furnished and was served upon the following parties on June 1, 2017 by the following:

USDA OGC - Electronic Mail
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Winston Groover
(b) (6)

Respectfully Submitted,



Caroline Hill, Assistant Hearing Clerk
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