

REC'D - USDA/OALJ/OHC
2019 MAY 15 PM3:07

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 17-0135
)	HPA Docket No. 17-0136
RAY JONES TRUCKING, INC., a)	HPA Docket No. 17-0137
Kentucky corporation; JIMMY REECE, an)	
individual; and CHAD WAY, an individual,)	
)	CONSENT DECISION AND
Respondents.)	ORDER AS TO RESPONDENT
)	JIMMY REECE

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 Jimmy Reece 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 Reece 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 Jimmy Reece, also known as James Claude Reece, 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 August 25, 2016, respondent Jimmy Reece allowed the entry of a horse he owned (Strolling Thru the Ritz) for showing in class 32 in a horse show in Shelbyville, Tennessee.

Conclusion of Law

Respondent Jimmy Reece, 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 Jimmy Reece is disqualified for four months, beginning January 1, 2020, and ending April 30, 2020, 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 Jimmy Reece is assessed a civil penalty of \$550, which shall be paid by January 1, 2020, by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0136, 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 on May 30, 2019. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.



Jimmy Reece
Respondent

Attorney for Respondent



Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 15th day of May 2019



Channing D. Strother
Chief Administrative Law Judge