

USDA
OALJ/OHC

2005 MAR 20 AM 9:18

UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:

Jeffrey Street and
Jacline Wampler,

Respondents

)
)
)
)
)

HPA Docket No. 05-0004

Consent Decision and Order as to Jacline Wampler

This proceeding was instituted under the Horse Protection Act ("Act"), as amended (15 U.S.C. § 1821 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents violated the Act. 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).

Respondent Jacline Wampler admits the jurisdictional allegations in paragraph I of 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, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Respondent Jacline Wampler is an individual whose mailing address is 388 Moody Private, Kingsport, Tennessee 37664. At all times mentioned herein said respondent was the owner of the horse known as "Heir Trigger" a/k/a "Night Moves."

2. On September 11, 2004, respondent Jacline Wampler entered for the purpose of showing or exhibiting the horse known as "Heir Trigger" a/k/a "Night Moves" as entry number 333 in class number 30, at the Russell County Fair Horse Show in Castlewood, Virginia.

Conclusions

Respondent having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

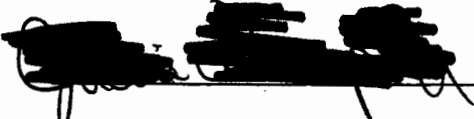
Order

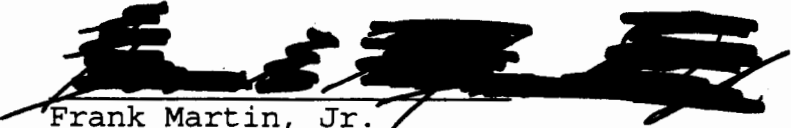
1. Respondent Jacline Wampler is disqualified for one year from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating in any horse show, horse exhibition, or horse sale or auction. "Participating" 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.


This order shall have the same effect as if entered after a full hearing and shall become effective upon issuance on the respondent.

Copies of this decision shall be served upon the parties.

 7/6/05
Jacline Wampler
Respondent


Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 20th day of July, 2005


Administrative Law Judge
PETER DAVENPORT