

USDA
UNITED STATES DEPARTMENT OF AGRICULTURE/OHC

BEFORE THE SECRETARY OF AGRICULTURE 23 AM 8:50

In re:) HPA Docket No. 99-0033 RECEIVED
)
Frank E. Neal,)
)
) Consent Decision
Respondent) and Order

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 respondent 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).

The respondent 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

A. Frank E. Neal, hereinafter referred to as the respondent, is an individual whose mailing address is 2223 Eighth Avenue South, Nashville, Tennessee 37204.

B. At all times material herein, the respondent owned horse known as "Royal Style" which was entered as Entry No. 1089, Class No. 110, on September 3, 1998, at the 60th Annual Tennessee Walking Horse National Celebration in Shelbyville, Tennessee.

Conclusions

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

Order

1. The respondent is assessed a civil penalty of \$1,000.00, which shall be paid by a certified check or money order made payable to the Treasurer of the United States.
2. Payment must be sent to the Complainant's attorney by February 11, 2005.

Copies of this decision shall be served upon the parties.

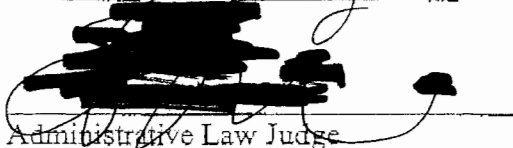


Frank E. Neal
Respondent



Brian T. Hill
Attorney for Complainant

Done at Washington, D.C.
this 22nd day of February, 2005



Administrative Law Judge

SUSAN L BIRO