

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 15-0098
)	
EARSIE ALLEN, an individual)	
)	
Respondent.)	CONSENT DECISION 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).

Respondent 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, 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

Respondent Earsie Allen is an individual whose business mailing address is 2039 Walker Tanner Road, Union City, Tennessee 38261. At all times mentioned in the above-captioned complaint, Mr. Allen was a “person” and an “exhibitor,” as those terms are defined in the regulations promulgated under the Act.

CONCLUSION OF LAW

The respondent 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

Respondent Earsie Allen is disqualified for seven years beginning January 15, 2017, and ending January 14, 2024, 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. "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.

*Signed w/ permission
on behalf of Earsie Allen*

[REDACTED]
Earsie Allen
Respondent

[REDACTED]
Lauren Becker
Attorney for Complainant

Done at Washington, D.C.
this 12th day of January 2017

[REDACTED] CALS
Jill S. Clifton
Administrative Law Judge