

UNITED STATES DEPARTMENT OF AGRICULTURE 2007 SEP 20 AM 9: 58

BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P & S Docket No. D-07-0049
)
Jim L. Leslie,)
)
Respondent)
)
) Decision Without Hearing by Reason of
) Consent
)

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.), hereinafter the "Act," by a Complaint filed by the Deputy Administrator, Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that Respondent has willfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes (Rules of Practice) applicable to this proceeding (7 C.F.R. § 1.138).

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.

Complainant agrees to the entry of this decision.

Findings of Fact

(1) Jim Leslie, referred to herein as "Respondent," is an individual whose mailing address is P.O. Box 6, Dacoma, OK 73731.

(2) At all times material herein Respondent was:

(a) Engaged in the business of buying and selling, for his own account as a dealer, livestock in commerce; and

(b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account.

Conclusions

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

Order

Respondent Jim Leslie, his agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from:

1. Issuing checks for which there are insufficient funds on deposit and available in the account upon which the checks are drawn to pay the checks when presented; and

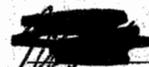
2. Failing to pay, when due, the full purchase price of livestock as required by Section 409 of the Act (7 U.S.C. §228b).

Respondent Jim Leslie is hereby suspended as a registrant under the Act for a period of 180 days.

The provisions of this Order shall become final and effective on the sixth (6th) day after service upon Respondent.

Copies of this Decision and Order shall be served upon the parties.

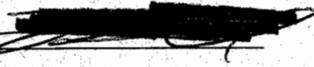
Issued this 20th day of September, 2007.



Administrative Law Judge



Jim Leslie



Gary F. Ball
Attorney for Complainant

USDA—In Re: Jim Leslie, P & S Docket No. D-07-0049,
Decision Without Hearing by Reason of Consent



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