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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)
) Docket No. 14-0133
))
Brandon Stout,)
))
))
Respondent) Consent Decision

These 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 Brandon Stout (hereafter "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 purposes only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Brandon Stout is an individual (hercafter Respondent) whose mailing address is (b) (6)
(b) (6)

2. The Respondent transported the horses known as "Strolling Thru the Ritz" and "I'm King James" to horse shows in 2010 for the purpose of showing or exhibiting those horses.

3. On or about May 28, 2010, the Respondent entered a horse known as “Strolling Thru the Ritz” as Entry No. 221, Class No. 27 at the 40th Annual Spring Fun Show in Shelbyville, Tennessee.

4. On or about May 28, 2010, the Respondent exhibited or showed a horse known as “Strolling Thru the Ritz” as Entry No. 221, Class No. 27, at the 40th Annual Spring Fun Show in Shelbyville, Tennessee.

5. On or about October 23, 2010, the Respondent entered the horse known as “I’m King James” as Entry No. 305, Class No. 43 at the Eastern Tennessee Walking Horse Association Fall Classic Horse Show in White Pine, Tennessee.

6. On or about October 23, 2010, the Respondent exhibited or showed the horse known as “I’m King James” as Entry No. 305, Class No. 43 at the Eastern Tennessee Walking Horse Association Fall Classic Horse Show in White Pine, 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. Respondent is disqualified for sixteen uninterrupted months beginning November 15, 2015, and ending on March 14, 2017, 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 as defined in 9 C.F.R. § 1.1, 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.

Copies of this decision shall be served upon the parties.



Brandon Stout
Respondent



Alicia Napier
Attorney for Respondent



Sharlene Deskins
Attorney for Complainant

Done at Washington, D.C.
this ____ day of _____, 201__

Administrative Law Judge

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[Redacted signature]

Brandon Stout
Respondent

[Redacted signature]

Alicia Napier
Attorney for Respondent

[Redacted signature]

Sharlene Deskins
Attorney for Complainant

Clovis, California

Done at Washington, D.C.
this 9 day of NOV, 2015

[Redacted signature]

Administrative Law Judge
Jill S. Clifton