

UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	HPA Docket No. 17-0022
)	
CHARLES GLEGHORN, an individual,)	
)	CONSENT
Respondents.)	DECISION AND ORDER

This proceeding was instituted under the Horse Protection Act (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture (APHIS), on December 23, 2016, alleging that the respondents violated the Act.

On February 9, 2017, Chief Administrative Law Judge Bobbie J. McCartney issued a "Decision and Order By Reason of Default" as to respondent Charles Gleghorn.

On May 30, 2017, the Judicial Officer issued an "Order Denying Late Appeal."

On August 16, 2017, the United States Court of Appeals for the Sixth Circuit issued an order dismissing a petition for appeal filed by respondent Charles Gleghorn.

Copies of the "Decision and Order By Reason of Default," the "Order Denying Late Appeal," and the order issued by the Sixth Circuit Court of Appeals are attached hereto.

Respondent Charles Gleghorn did not seek further review of the aforementioned decisions and orders, and the time for doing so has passed.

The "Decision and Order By Reason of Default" filed on February 9, 2017, is the final decision of the Secretary.

APHIS and respondent Charles Gleghorn have conferred, and consent and agree to the entry of this consent decision for the purpose of modifying, by consent of the parties, the sanctions ordered in the "Decision and Order By Reason of Default."

Respondent Charles Gleghorn admits the jurisdictional allegations in the complaint, specifically admits that the Secretary has jurisdiction in this matter, and admits the remaining allegations of the complaint. APHIS and respondent Charles Gleghorn agree that the findings of fact, conclusions of law, and text of the "Decision and Order By Reason of Default" except for the "Order" portion of the "Decision and Order By Reason of Default" are adopted, incorporated herein and made a part of this consent decision and order. 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 parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondent Charles Gleghorn is disqualified for two years, beginning March 16, 2017, and ending March 15, 2019, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly through any agent, employee, or other device.

2. Respondent Charles Gleghorn is assessed a civil penalty of \$6,600, which has been paid by check made payable to USDA/APHIS, indicating that the payment is in reference to HPA Docket No. 17-0022, and sent to:

USDA, APHIS, MISCELLANEOUS
P.O. Box 979043
St. Louis, Missouri 63197-9000

¹"Participating" means engaging in any activity beyond that of a spectator in connection with a horse show, horse exhibition, or horse sale or auction, 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 be final and effective as of December 15, 2017. This order may be executed in counterparts. Copies of this decision shall be served upon the parties.

[Redacted]

Charles Gleghorn
Respondent

[Redacted]

Robin L. Webb *Raymond W Fraley*
Attorney for Respondent

[Redacted]

Colleen A. Carroll
Attorney for Complainant

Done at Washington, D.C.,
this 25th day of January 2017 *8/25/17*

[Redacted]

~~Bobbie J. McCartney~~ *Channing D. Strother*
Chief Administrative Law Judge