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UNITED STATES DEPARTMENT OF AGRICULTURE

BEFORE THE SECRETARY OF AGRICULTURE

In re:	)	Docket No. 16-0140
	)	
Casper Joe Ringelstein, III	)	
	)	
d.b.a. S.W. Livestock Sales Co.	)	
	)	
	)	
	)	
	)	
Respondent	)	Decision without Hearing by Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.), 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 Casper Joe Ringelstein, III d.b.a. S.W. Livestock Sales Co. (hereinafter "Respondent") willfully violated the Act and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 et seq.; hereinafter "Regulations"). This Consent Decision is entered pursuant to the Consent Decision provision of the Rules of Practice Governing Formal Adjudicatory Proceedings instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.138; hereinafter "Rules of Practice").

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, waive oral hearing and further procedure, and consent and agree, 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 Consent Decision.

Findings of Fact

(a) Respondent Casper Joe Ringelstein, III is an individual doing business as S.W. Livestock Sales Co., whose business mailing address is 4308 FM 1784, Pleasanton, Texas 78064.

(b) At all times material herein Respondent was:

(1) Engaged in the business of a market agency selling livestock on a commission basis in commerce; and

(2) Registered with the Secretary of Agriculture as a market agency to sell livestock on a commission basis in commerce.

Conclusions

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

Order

Respondent, his agents and employees, directly or indirectly through any corporate or other device, in connection with his operations subject to the Act, shall cease and desist from failing to properly maintain their custodial account for shippers' proceeds in strict conformity with the Act and section 201.42 of the regulations (9 C.F.R. § 201.42) and from failing to keep and maintain accounts, records, and memoranda that fully and correctly disclose all transactions involved in their business.

In accordance with section 312(b) of the Act (7 U.S.C. § 213(b)), respondent is hereby assessed, jointly and severally, a civil penalty in the amount of five-hundred dollars ($500.00)

This Order shall have the same force and effect as if entered after full hearing. The provisions of this Order shall become final and effective on the sixth (6th) day of this Consent Decision and Order on the respondents (7 C.F.R. § 1.138).

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

Done at Washington, D.C.
this 23rd day of Sept, 2016

[redacted], CALJ
Administrative Law Judge

[redacted] 9/20/16
Casper Joe Ringelstein, III
S.W. Livestock Sale Co.
Respondent

[redacted]
William K. Brake
Attorney for Complainant