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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) HIPA Docket No. 06-0007  
)  
Roger Ivins and )  
Randy Nebel, )  
)  
Respondents )

Consent Decision and Order as to Roger Ivins

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 respondents 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 Roger Ivins 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.

The complainant agrees to the entry of this decision.

Findings of Fact

A. Respondent Roger Ivins is an individual whose mailing address is 1104 North Magnolia, El Dorado, AR, 71730.

B. At all times material herein, respondent Roger Ivins was the trainer of the horse

known as "J.F.K. Cash Demand" and entered this horse as Entry No. 3130, Class No. 147, on August 31, 2002, at the 64<sup>th</sup> Annual Tennessee Walking Horse Celebration Show in Shelbyville, Tennessee.

Conclusions

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

Order

Respondent Roger Ivins is assessed a civil penalty of \$2,200.

This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondent.

Copies of this decision shall be served upon the parties.

X    
Roger Ivins  
Respondent

   
Brian T. Hill  
Attorney for Complainant

Done at Washington, D.C.  
this 31 day of March, 2008

  
\_\_\_\_\_  
Administrative Law Judge  
