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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Robert Raymond Black, II,
and William R. Sloan,

Respondents

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HPA Docket No. 07-0200

Consent Decision and Order as to
Robert Raymond Black, II

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 Robert Raymond Black, II, 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 Robert Raymond Black, II, is an individual whose mailing address is 111 Minkslide Road, Bell Buckle, Tennessee 37020.

B. At all times material hereto, respondent Robert Raymond Black, II, was the trainer of the horse known as "Santana's Bad Boy" and entered this horse as Entry No. 352, Class No. 69, on May 5, 2007, at the Derby Classic Horse Show at Harrodsburg, Kentucky.

Conclusions

Respondent Robert Raymond Black, II, having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

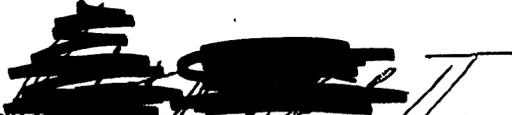
1. Respondent Robert Raymond Black, II, is assessed a civil penalty of \$1,000 which shall be paid within six months by a certified check or money order made payable to the Treasurer of United States and which shall be sent to the Attorney for Complainant at the following address:

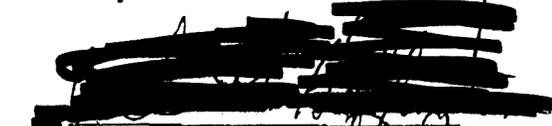
USDA/OGC/Marketing Division
1400 Independence Ave., S.W., Stop 1417
Washington, DC 20250-1417.

2. Respondent Robert Raymond Black, II, is disqualified for an uninterrupted period of six months beginning October 28, 2007, 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, horse exhibition, or horse sale or auction. For the purposes of this Order, "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 any horse show, horse exhibition, or horse sale or auction, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed. Jurisdiction is retained for the limited purpose of enforcement of this paragraph.

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.


Robert Raymond Black, II
Respondent


Jack Hefington
Attorney for Respondent


Robert A. Ertman
Attorney for Complainant

Done at Washington, D.C.
this 19th day of October, 2007


Administrative Law Judge