

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	
)	
Leroy H. Baker, Jr., d/b/a)	A.Q. Docket No. 08-0074
Sugarcreek Livestock Auction, Inc.,)	
Larry L. Anderson, and)	
James Gadberry,)	Order Dismissing Case
)	Without Prejudice as to
Respondents)	ONLY James Gadberry

The Complainant is the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (frequently herein “APHIS” or “Complainant”). APHIS is represented by Thomas N. Bolick, Esq., Office of the General Counsel, Regulatory Division, United States Department of Agriculture, South Building, 1400 Independence Ave. SW, Washington, D.C. 20250.

The Respondent James Gadberry (frequently herein “Respondent Gadberry” or “Respondent”) is an individual who is represented by Patrick E. Richardson, Esq., P.O. Box 987, Kirksville, Missouri 63501.

APHIS’s Motion for Dismissal of the Complaint Against Respondent James Gadberry, filed February 27, 2009, is GRANTED. Accordingly, as to only Respondent Gadberry, this case is **dismissed without prejudice**.

Copies of this Dismissal Without Prejudice shall be served by the Hearing Clerk upon each of the parties (including the other two respondents).

Done at Washington, D.C.
this 27th day of May 2009

Jill S. Clifton
Administrative Law Judge

Hearing Clerk's Office
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