

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) HPA Docket No. 09-0064
)
Coy Michael Ellis also known as)
Mike Ellis, John Lamont Tudor,)
Pam Ellis and John Tudor Stables,) Consent Decision and
) Order as to Coy Michael Ellis
) and Pam Ellis
Respondents)

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).

Respondents Coy Michael Ellis also known as Mike Ellis and Pam Ellis admit the jurisdictional allegations in paragraph 1 of the complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny 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 decision.

Findings of Fact

A. Respondents Coy Michael Ellis and Pam Ellis are individuals whose mailing address is 171 Birch Ave., Harrodsburg, Kentucky 40330.

B. At all times material herein, respondents Coy Michael Ellis and Pam Ellis were the owners of a horse known as "Gymkhana".

C. On or about April 20, 2007, respondents Coy Michael Ellis and Pam Ellis entered, allowed the entry of and exhibited "Gymkhana" as Entry No. 581, Class No. 25 in the Spring Jubilee Charity Horse Show in Harrodsburg, Kentucky for the purpose of showing or exhibiting the horse.

Conclusions

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

Order

1. Respondents Coy Michael Ellis and Pam Ellis are disqualified for one uninterrupted year 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. "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 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.

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 respondents.

Copies of this decision shall be served upon the parties.


Coy Michael Ellis
Respondent


Pam Ellis
Respondent


Sharlene A. Deskins
Attorney for Complainant

Done at Washington, D.C.
this 23rd day of September, 2000


Administrative Law Judge