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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	P & S Docket No. D-10-0294
)	
Daniel Murray,)	
)	
)	
)	
Respondent)	Decision Without Hearing by Reason of Consent

This proceeding was instituted under the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.)(Act), 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 has willfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary Under Various Statutes (Rules of Practice) applicable to this proceeding (7 C.F.R. § 1.138).

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, 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.

Complainant agrees to the entry of this decision.

Findings of Fact

- (1) Daniel Murray is an individual. Respondent's business mailing address is his home address. In order to protect the personal privacy of Respondent, Complainant is not providing the Respondent's address in this Decision.
- (2) Respondent, at all times material herein, was:
 - (a) Engaged in the business of buying and selling livestock in commerce for his own account as a dealer; and
 - (b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account, and as a market agency buying on commission.

Conclusions

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

Order

1. Respondent, its agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from:
 - (a) operating as a dealer or market agency buying on commission without a proper bond or bond equivalent (9 C.F.R. § 201.29).
2. Respondent shall be assessed a civil penalty of \$2,500.00.

The provisions of this Order shall become final and effective on the sixth (6th) day after service upon Respondent.

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

[Redacted]

Daniel Murray
Respondent

[Redacted]

Brian Sylvester, Esq.
Attorney for Complainant

Issued in Washington D.C.

this 11 day of July, 2011

[Redacted]

for chief Administrative Law Judge

Peter M. Davenport