

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket No. 08-0028
LeAnne Caraway,)	
)	Consent Decision
Respondent)	and Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the Respondent willfully violated the Act and the regulations issued pursuant to the Act (9 C.F.R. § 1.1 et seq.). 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).

The Respondent admits the jurisdictional allegations in paragraph 1 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) LeAnne Caraway, hereinafter referred to as the Respondent, is an individual whose mailing address is 4330 Cardinal, Edmond, Oklahoma 73034.

(b) The Respondent, at all times material hereto, was operating as a dealer as defined in the Act and the regulations.

Conclusions

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

Order


1. Respondent, her agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations, and in particular, shall cease and desist from operating as a dealer without being licensed as required.


2. The Respondent is assessed a civil penalty of \$7,000, of which ⁰\$5,000 is suspended and held in abeyance upon the condition that the Respondent, after notice and opportunity for hearing, is not found to have violated the Act or the regulations issued thereunder during the two years following the effective date of this order. The remaining ~~\$2,000~~ ^{\$2,000} shall be paid by a certified check or money order made payable to the Treasurer of United States and sent to the Attorney for Complainant at the following address within 60 days from the date of this order:

USDA OGC Marketing Division
STOP 1417 – Room 2343-S
1400 Independence Avenue, SW
Washington, D.C. 20250-1417


The provisions of this order shall become effective upon issuance.

Copies of this decision shall be served upon the parties.


LeAnne Caraway
Respondent


Robert A. Ertman
Attorney for Complainant

Done at Washington, D.C.,
this 21st day of November, 2008


Administrative Law Judge