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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

James Thomas Olds,

Respondent

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Docket No. 12-0038

Complaint

There is reason to believe that the respondent named herein has violated the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.), herein referred to as the Act. Therefore, the Administrator of the Animal and Plant Health Inspection Service ("APHIS") issues this complaint alleging the following:

I

1. James Thomas Olds (hereafter Respondent) is an individual whose mailing address is 9375 Highway 127 North, Sparta, Kentucky 41086.
2. At all times material herein Respondent Olds was the owner of a horse known as "Maggie May of Grassland".
3. At all times material herein Respondent Olds was the owner of a horse known as "A Midnight Touch".

II

4. On or about October 9, 2009, the Respondent transported the horse known as "Maggie May of Grassland" and the horse known as "A Midnight Touch" to the North Carolina Championship Walking Horse Show in Fletcher, North Carolina.
5. On or about October 9, 2009, the Respondent entered and allowed the entry of "Maggie May of Grassland" as Entry No. 82, Class No. 25, at the North Carolina Championship Walking Horse Show in Fletcher, North Carolina.

6. On or about October 9, 2009, the Respondent entered and allowed the entry of "A Midnight Touch" as Entry No. 85, Class No. 45, at the North Carolina Championship Walking Horse Show in Fletcher, North Carolina.

III

7. On or about October 9, 2009, the Respondent violated section 5(1) of the Act (15 U.S.C. § 1824(1)), by transporting "Maggie May of Grassland" to the North Carolina Championship Walking Horse Show in Fletcher, North Carolina, while the horse was sore, as that term is defined in the Act, with reason to believe that the horse, while sore, may be entered for the purpose of it being shown or exhibited in that horse show.

8. On or about October 9, 2009, the Respondent, violated sections 5(2)(B) and 5(2)(D) of the Act (15 U.S.C. § 1824(2)(B) and (D)) by entering and allowing the entry of a horse known as "Maggie May of Grassland" as Entry No. 82, Class No. 25, at the North Carolina Championship Walking Horse Show in Fletcher, North Carolina, for the purpose of showing or exhibiting the horse while the horse was sore, as the term is defined in the Act.

9. On or about October 9, 2009, Respondent, violated section 5(2)(B) and 5(2)(D) of the Act (15 U.S.C. § 1824(2)(B) and (D)), by entering and allowing the entry of a horse known as "A Midnight Touch" as Entry No. 85, Class No. 45, at the North Carolina Championship Walking Horse Show in Fletcher, North Carolina, for the purpose of showing or exhibiting the horse while the horse was sore, as the term is defined in the Act.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the Respondent has in fact violated the Act, this complaint shall be served upon the Respondent.


The Respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

The Animal and Plant Health Inspection Service requests:

1. That unless the Respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in conformity with the Rules of Practice governing proceedings under the Act; and
2. That such order or orders be issued as are authorized by the Act and warranted under the circumstances including an order:
 - (a) Assessing civil penalties against the Respondent in accordance with section 6(b) of the Act (15 U.S.C. § 1825(b)); and

(b) Disqualifying the respondent for a specified period as provided in section 6(c) of the Act (15 U.S.C. § 1825(c)) from (1) showing, exhibiting or entering any horse, or otherwise participating in any horse show or exhibition, and (2) judging or managing any horse show, horse exhibition, horse sale or auction.

Done at Washington, D.C.
this 24th day of October, 2011


Adeline Administrator
Animal and Plant Health
Inspection Service

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