

USDA  
OALJ/OHC

2010 DEC -3 PM 4:30

## UNITED STATES DEPARTMENT OF AGRICULTURE

## BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:	)	HPA Docket No. 08-0026
	)	
RUSSELL J. THOMPSON, an individual doing	)	
business as RUSS THOMPSON STABLES;	)	
JASON SCOTT HUGHES, an individual doing	)	
business as J & H STABLES; and	)	
KENNETH L. COMPTON, an individual,	)	
	)	
Respondents	)	Consent Decision

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 et seq.)(the "Act"), 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 admit the jurisdictional allegations in the complaint, 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 to the entry of this decision. The complainant agrees to the entry of this decision.

Findings of Fact

1. Russell J. Thompson is an individual doing business as Russ Thompson Stables, and whose mailing address is 15231 Pine Lane, Chino Hills, California 91709-2633. On September 2, 2006, at approximately 10:20 p.m., the management of the 2006 "Tennessee Walking Horse National Celebration" horse show held at The Celebration Grounds, 721 Whitthorne Street, Shelbyville, Tennessee 37160 (the "TWHNC"), disqualified a horse ("It's Billy the Kid") from being shown or exhibited after the TWHNC's qualified person appointed to inspect horses determined that the horse was sore. Shortly thereafter, respondent Thompson exhibited "It's Billy the Kid" in the "Champions

Arena" at that venue.

2. Jason Scott Hughes is an individual doing business as J & H Stables, and whose mailing addresses are 1184 Arlis Hale Road, Russell Springs, Kentucky 42642-6912 and 69 Windswept Lane, Russell Springs, Kentucky 42642-6988. On September 2, 2006, at approximately 10:00 p.m., the management of the TWHNC disqualified a horse ("I'm Unarmed") from being shown or exhibited after the TWHNC's qualified person appointed to inspect horses determined that the horse was sore. Shortly thereafter, respondent Hughes exhibited "I'm Unarmed" in the "Champions Arena" at that venue.

3. Kenneth L. Compton is an individual whose mailing address is 4686 Baptist Valley Road, North Tazewell, Virginia 24630-8794. On September 2, 2006, at approximately 10:15 p.m., the management of the TWHNC disqualified a horse ("NYPD") from being shown or exhibited after the having been informed by officials of the U.S. Department of Agriculture that the horse was sore. Shortly thereafter, respondent Compton exhibited "NYPD" in the "Champions Arena" at that venue.

#### Conclusions of Law

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

#### Order

1. Respondent Russell J. Thompson dba Russ Thompson Stables is disqualified for four months, beginning December 1, 2010, and ending March 31, 2011, 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, directly or indirectly through any agent, employee, or other device.<sup>1</sup> This disqualification period shall be consecutive as to any other disqualification as to this respondent in force in any other administrative or criminal proceeding under the section 6 of the Act (15 U.S.C. § 1825).

2. Respondents Jason Scott Hughes dba J & H Stables, and Kenneth L. Compton are each disqualified for four months, beginning January 1, 2011, and ending April 30, 2011, 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, directly or indirectly through any agent, employee, or other device.<sup>2</sup> This disqualification period shall be consecutive as to any other disqualification as to these respondents in force in any other administrative or criminal proceeding under the section 6 of the Act (15 U.S.C. § 1825).

////

////

////

////

////

////

////

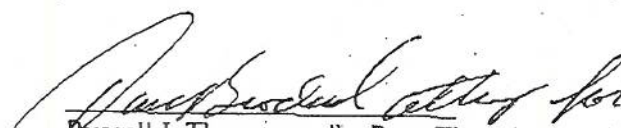
---

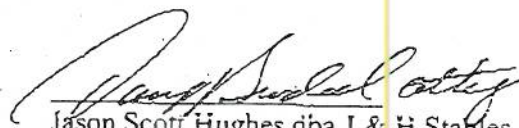
<sup>1</sup>"Participating" means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.

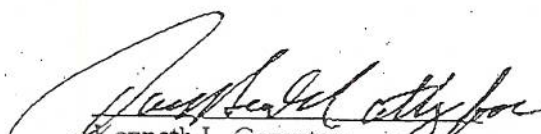
<sup>2</sup>See note 1.




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.

  
 Russell J. Thompson dba Russ Thompson Stables  
 Respondent

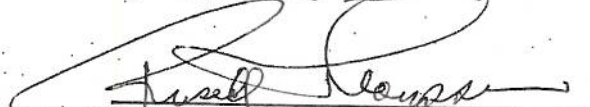
  
 Jason Scott Hughes dba J & H Stables  
 Respondent

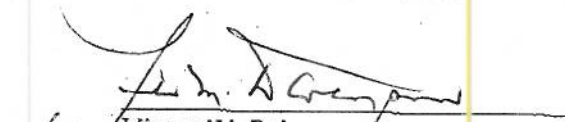
  
 Kenneth L. Compton  
 Respondent

  
 Colleen A. Carroll  
 Attorney for Complainant

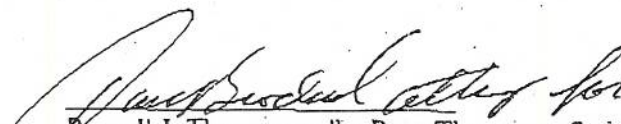
  
 Kenneth L. Compton

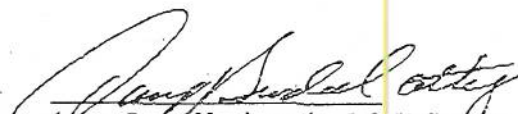
Done at Washington, D.C.  
 this 3<sup>rd</sup> day of ~~October~~ December, 2010

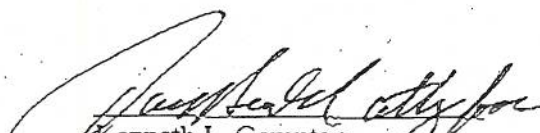
  
 Russell Thompson

  
 Victor W. Palmer  
 Administrative Law Judge


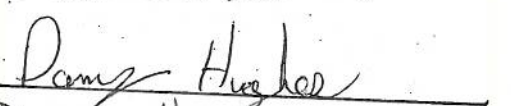
This order shall have the same effect as if entered after a full hearing and shall become effective on the first day after service of this decision on the respondents. Copies of this decision shall be served upon the parties.

  
 Russell J. Thompson dba Russ Thompson Stables  
 Respondent

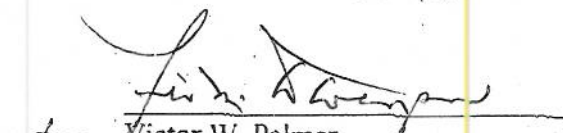
  
 Jason Scott Hughes dba J & H Stables  
 Respondent


  
 Kenneth L. Compton  
 Respondent

  
 Colleen A. Carroll  
 Attorney for Complainant

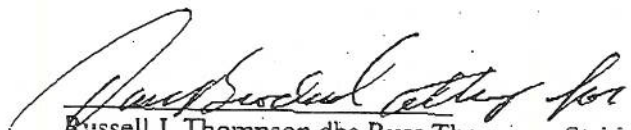
  
  
 Danny Hughes


Done at Washington, D.C.  
 this 3<sup>rd</sup> day of October, 2010  
 December



  
 Victor W. Palmer  
 Administrative Law Judge


  
 Jason Hughes

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.


  
Russell J. Thompson dba Russ Thompson Stables  
Respondent

  
Jason Scott Hughes dba J & H Stables  
Respondent

  
Kenneth L. Compton  
Respondent  


  
Colleen A. Carroll  
Attorney for Complainant

Done at Washington, D.C.  
this 31 day of ~~October~~ December, 2010

  
Victor W. Palmer  
Administrative Law Judge