

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

Joey Dunn,
an individual,

HPA Docket No. 23-J-0047

Respondent.

REC'D - USDA/OALJ/HCO
2026 JAN 27 10:06 AM

CONSENT DECISION AND ORDER

Appearances:

John Rodriguez, Esq., Office of the General Counsel, United States Department of Agriculture, Washington, D.C., for the Complainant, the Administrator of the Animal and Plant Health Inspection Service ("APHIS" or "Complainant");

Jack Heffington, Esq., and Brandy Arena, Esq., for the Respondent (named in the case caption above).

Before Tierney Carlos, Administrative Law Judge

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. §§ 1821-1831) ("Act" or "HPA"), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service ("APHIS" or "Complainant"), alleging that Respondent Joey Dunn (herein after "Respondent") violated the Act. Complainant and Respondent have agreed that this proceeding should be terminated by the entry of this Consent Decision and Order, and have thereby agreed to the following stipulations:

Respondent admits the jurisdictional allegations in the Complaint; specifically admits that the Secretary has jurisdiction in this matter; neither admits nor denies the remaining allegations in the Complaint; waives oral hearing and all further procedures Respondent may be entitled to under

the law; waives any and all rights or defenses the Respondent has or might have for the matter to be adjudicated in a federal district court in the first instance, including any associated right to a jury trial; waives all rights to seek judicial review and otherwise challenge or contest the validity of this Consent Decision and Order, including waiving challenges to the Administrative Law Judge's authority to enter this Consent Decision and Order under the Administrative Procedure Act and the Constitution of the United States; and waives any action against the United States Department of Agriculture ("USDA") under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504 *et seq.*) for fees and other expenses incurred by Respondent in connection with this proceeding or any action against any USDA employee(s) in their individual capacity.

The parties consent and agree to the entry of this Consent Decision and Order for the purpose of settling this proceeding. This Consent Decision and Order is entered pursuant to the consent decision provisions (7 C.F.R. § 1.138) of the Rules of Practice applicable to this proceeding.

FINDINGS OF FACT

1. Respondent is an individual whose home address is in the Commonwealth of Virginia.
2. At all times mentioned herein, Respondent was a "person[s]" and "exhibitor[s]," as those terms are defined in the Regulations issued pursuant to the Act (9 C.F.R. § 11.1).
3. On or about May 21, 2022, Respondent entered a horse known as Freddie Prinze for the purpose of showing the horse in the Virginia Walking & Racking Horse Owners Association Horse Show, a horse show in Chatham, Virginia.

4. On January 22, 2026, in HPA Docket No. 23-J-0047, Complainant withdrew the alleged violations found in paragraphs 5, 6, 7, and 9 of the complaint, and requested that they be dismissed without prejudice.

5. On January 22, 2026, in HPA Docket No. 23-J-0048, Complainant withdrew the alleged violations found in paragraphs 8 and 11 of the complaint, and requested that they be dismissed without prejudice.

6. On January 22, 2026, Administrative Law Judge Tierney Carlos DISMISSED WITHOUT PREJUDICE the alleged violations set forth in paragraphs 5, 6, 7, 8, 9, and 11 of the Complaint.

7. On January 23, 2026, Respondent filed a Notice of Appeal to Judicial Officer.

CONCLUSION OF LAW

Respondent having admitted the findings of fact set forth above, and the parties having agreed to the entry of this Consent Decision and Order, such Consent Decision and Order will be entered.

ORDER

1. Respondent is disqualified for a period of seven (7) months from (a) showing, exhibiting, and/or entering any horse in any horse show,¹ horse exhibition,² horse sale or horse auction,³ (b) judging, and/or managing any horse show, horse exhibition, horse sale or horse auction, and (c) otherwise participating in any horse show, horse exhibition, horse sale or horse auction, directly or indirectly through any agent, employee, corporation, partnership, business or

¹ “Horse show” means a public display of any horses, in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

² “Horse exhibition” means a public display of any horses, singly or in groups, but not in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

³ “Horse sale or horse auction” means any event, public or private, at which horses are sold or auctioned, regardless of whether or not said horses are exhibited prior to or during the sale or auction. 9 C.F.R. § 11.1.

other device. “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. The seven (7) month disqualification period shall begin on January 27, 2026.

2. Respondent is assessed a civil penalty in the amount of ten (\$10) dollars, which shall be paid in full within thirty (30) days of the effective date of this Consent Decision and Order. The ten (\$10) dollar civil penalty shall be paid by a certified check or money order made payable to the “Treasurer of the United States” and mailed to:

USDA-APHIS-GENERAL (HPA Docket No. 23-J-0047)
P.O. Box 979043
St. Louis, Missouri 63197-9000

Respondent shall write the docket number of this proceeding, HPA Docket No. 23-J-0047, on the certified check or money order.

3. If Respondent fails to pay the civil penalty set forth in Paragraph 2 above, or if any amount of said civil penalty remains unpaid at the end of the seven (7) month disqualification period set forth in Paragraph 1 above, Respondent shall continue to be disqualified from all of the activities set forth in Paragraph 1 unless and until the civil penalty is paid in full.

4. Respondent’s Notice of Appeal to Judicial Officer is now moot.

5. This Consent Decision and Order now concludes both HPA Docket No. 23-J-0047 and HPA Docket No. 23-J-0048.

6. This Consent Decision and Order shall have the same force and effect as if entered after full hearing.

7. The provisions of this Consent Decision and Order shall become final and effective on the date of signature by the Administrative Law Judge.

8. Copies of this Consent Decision and Order shall be served upon the parties or their counsel.


Respondent

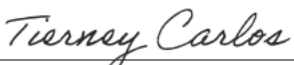

Jack Heffington
Attorney for the Respondent


Brandy Arellano
Attorney for the Respondent


Attorney for Complainant

Done at Washington, D.C.

this 27th day of January, 2026


Tierney Carlos,
Administrative Law Judge