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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) P. & S. Docket No. D-97-0002  
)  
)  
Willie L. Hill, )  
)  
Respondent ) Decision  
)

This proceeding was instituted under the Packers and Stockyards Act (7 U.S.C. § 181 et seq.) by a complaint filed by the Acting Deputy Administrator, Packers and Stockyards Programs, Grain Inspection, Packers and Stockyards Administration (GIPSA), United States Department of Agriculture, alleging that the respondent wilfully violated the Act. The 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 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.

The complainant agrees to the entry of this decision.

Findings of Fact

1. Willie L. Hill, hereinafter referred to as respondent is an individual whose business mailing address is 2809 5th Street, Montgomery, Alabama 36108.

2. Respondent is and at all times material herein was:

(a) Engaged in the business of buying and selling livestock in commerce for his own account or the account of others, and buying livestock in commerce on a commission basis; and

(b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account or for the account of others and as a market agency to buy livestock in commerce on a commission basis.

#### 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

Respondent Willie L. Hill, his agents and employees, directly, or through any corporate or other device, in connection with his activities subject to the Packers and Stockyards Act, shall cease and desist from:

1. Failing to pay, when due, the full purchase price of livestock;
2. Failing to pay the full purchase price of livestock; and
3. Issuing checks in payment for livestock without having sufficient funds on deposit and available in the account upon which such checks are drawn to pay such checks when presented.

Respondent Willie L. Hill is suspended as a registrant under the Act for a period of five years. Provided, however, that upon application to Packers and Stockyards Programs, GIPSA, a supplemental order may be issued terminating the suspension of respondent at any time after the expiration of the initial 90 days of this suspension term upon demonstration by respondent that all livestock sellers identified in the complaint in this proceeding have been paid in full. Provided further that this order may be modified upon application to the Packers and Stockyards Programs, GIPSA, to permit the salaried employment of respondent by another registrant or packer after the expiration of the initial 90 days of this suspension term upon demonstration of circumstances warranting modification of the order.

The provisions of this order shall become effective on the sixth day after service of this decision on the respondent.

Willie L. Hill

WILLIE L. HILL  
Respondent

Eric Paul

ERIC PAUL  
Attorney for Complaint

Issued this 30th day of December 1996

James Hunt  
Administrative Law Judge