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UNITED STATES DEPARTMENT OF AGRICULTURE

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BEFORE THE SECRETARY OF AGRICULTURE

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In re:

Mason Georges,

Respondent

) P. & S. Docket No. 12-

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) Complaint

There is reason to believe that the respondent named herein has willfully violated the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*), and the regulations promulgated thereunder by the Secretary of Agriculture (9 C.F.R. § 201.1 *et seq.*), and, therefore, this complaint is issued alleging the following:

I

(a) Respondent Mason Georges is an individual whose home address is in the State of New Mexico. In order to protect the personal privacy of respondent, his home address is not included in this complaint but has been provided to the Hearing Clerk for the purpose of effectuating service of process.

(b) Respondent, at all times material herein, was:

(1) Engaged in the business of a dealer buying and selling livestock in commerce;

(2) A dealer within the meaning of and subject to the provisions of the Act; and

(3) Not registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.

## II

On March 11, 2009, the Grain Inspection, Packers and Stockyards Administration (GIPSA) sent respondent a Notice of Default (NOD) by certified mail. The NOD was claimed and signed for by respondent on March 26, 2009. The NOD stated that respondent was engaged in the business of buying and selling livestock in commerce. The NOD informed respondent that buying and selling livestock in commerce without being properly registered with GIPSA and without filing a bond or bond equivalent are violations of the Act and regulations issued thereunder. The NOD informed respondent that failure to comply with the registration and bonding requirements would result in appropriate disciplinary action.

## III

On or about the dates and in the transactions described in Appendices A, B, C and D, attached hereto and incorporated herein by reference, respondent engaged in the business of a dealer buying and selling livestock in commerce without being properly registered with the Secretary and without maintaining a bond or bond equivalent as required by the Act and regulations.

#### IV

(a) On or about the dates and in the transactions set forth in Appendix A, respondent issued checks in payment for livestock purchases which were returned unpaid by the bank upon which they were drawn because respondent did not have and maintain sufficient funds on deposit and available in the account upon which the checks were drawn to pay them when presented.

(b) By virtue of the facts alleged above in subsection (a) of this paragraph, respondent purchased livestock and failed to pay, when due, for such livestock.

(c) On about the dates and in the transactions set forth in Appendix B, respondent purchased livestock and failed to pay, when due, for such livestock.

(d) As of June 30, 2011, respondent failed to pay \$28,510.70 to the sellers listed in Appendices A and B for the livestock purchases described therein.

#### V

By reason of the facts alleged in paragraphs II and III above, respondent willfully violated section 312(a) of the Act (7 U.S.C. § 213(a)), and sections 201.29 and 201.30 of the regulations (9 C.F.R. §§ 201.29 and 201.30).

By reason of the facts alleged in paragraph IV above, respondent willfully violated sections 312(a) (7 U.S.C. § 213(a)) and 409 (7 U.S.C. § 228b) of the Act and section 201.43 of the regulations (9 C.F.R. § 201.43).

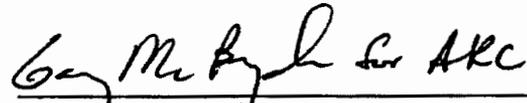
WHEREFORE, it is hereby ordered that this complaint shall be served upon respondent for the purpose of determining whether respondent has willfully violated the Act and regulations. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, Room 1031-South Building, United States Department of Agriculture, 1400 Independence Avenue, S.W., 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.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint.

The Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration requests:

1. That unless respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and
2. That such order or orders be issued, including an order requiring respondent to cease and desist from the violations of the Act and the regulations found to exist, prohibiting respondent from being registered and engaging in business in any capacity for which registration is required under the Act for a specified period of time, and assessing such civil penalties against respondent as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.

this 31 day of July, 2012



**Alan R. Christian**  
Deputy Administrator  
Packers and Stockyards Program

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Appendix A

| Purchase Date | Seller                        | Number of Head of Livestock Purchased | Net Invoice Amount | Check Amount | Payment Due Date per 109 of the Act | Date Payment Made | Date Check Returned due to NSF |
|---------------|-------------------------------|---------------------------------------|--------------------|--------------|-------------------------------------|-------------------|--------------------------------|
| 1/22/2011     | Lucky 7 Rodeos/<br>Ty Hawkins | 11                                    | \$3,113.25         | \$3,113.25   | 1/24/2011                           | 1/22/2011         | 1/27/2011                      |
| 1/22/2011     | Les Snipes                    | 14                                    | \$5,209.00         | \$4,900.00   | 1/24/2011                           | 1/22/2011         | 3/15/2011                      |
| 2/19/2011     | Les Snipes                    | 38                                    | \$6,932.00         | \$6,932.00   | 2/22/2011                           | 2/19/2011         | 3/15/2011                      |

Appendix B

| Purchase Date | Seller's Name    | Number of Head of Livestock Purchased | Livestock Amount | Payment Due Date per \$409 |
|---------------|------------------|---------------------------------------|------------------|----------------------------|
| 2/17/2011     | Les Snipes       | 7                                     | \$1,724.00       | 2/18/2011                  |
| 2/18/2011     | Richard Saavedra | 7                                     | \$2,112.70       | 2/22/2011                  |
| 2/20/2011     | Les Snipes       | 17                                    | \$4,900.00       | 2/22/2011                  |
| 2/24/2011     | Richard Saavedra | 6                                     | \$1,407.50       | 2/25/2011                  |

Appendix C

| <b>Purchase Date</b> | <b>Number of Head of Livestock Purchased</b> | <b>Livestock Amount</b> | <b>Seller/Purchased From</b> |
|----------------------|--|-------------------------|------------------------------|
| 1/5/2011             | 19   | \$1,982.00              | Guy Wright                   |
| 1/13/2011            | 9  | \$1,603.20              | Richard Saavedra             |
| 1/14/2011            | 9  | \$2,152.05              | Richard Saavedra             |
| 1/15/2011            | 20   | \$5,220.00              | Les Snipes                   |
| 1/20/2011            | 10   | \$2,234.00              | Les Snipes                   |
| 1/27/2011            | 11   | \$3,298.10              | Richard Saavedra             |
| 2/3/2011             | 6  | \$1,660.00              | Richard Saavedra             |
| 2/10/2011            | 5  | \$1,045.00              | Richard Saavedra             |

Appendix D

| <b>Sale Date</b> | <b>Number of Head of Livestock Sold</b> | <b>Livestock Amount Sold</b> | <b>Sold to</b> |
|------------------|---|------------------------------|----------------|
| 1/7/2011         | 19                                      | \$450.00                     | Trent Saulters |
| 1/18/2011        | 38                                      | \$8,000.00                   | Trent Saulters |
| 1/26/2011        | 24                                      | \$7,700.00                   | Trent Saulters |
| 2/15/2011        | 22                                      | \$8,500.00                   | Trent Saulters |
| 3/8/2011         | 37                                      | \$5,000.00                   | Trent Saulters |