

Findings of Fact

(1) Jim Leslie, referred to herein as "Respondent," is an individual whose mailing address is P.O. Box 6, Dacoma, OK 73731.

(2) At all times material herein Respondent was:

(a) Engaged in the business of buying and selling, for his own account as a dealer, livestock in commerce; and

(b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account.

Conclusions

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

Order

Respondent Jim Leslie, his agents and employees, directly or through any corporate or other device, in connection with activities subject to the Act, shall cease and desist from:

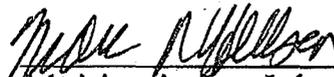
1. Issuing checks for which there are insufficient funds on deposit and available in the account upon which the checks are drawn to pay the checks when presented; and
2. Failing to pay, when due, the full purchase price of livestock as required by Section 409 of the Act (7 U.S.C. §228b).

Respondent Jim Leslie is hereby suspended as a registrant under the Act for a period of 180 days.

The provisions of this Order shall become final and effective on the sixth (6th) day after service upon Respondent.

Copies of this Decision and Order shall be served upon the parties.

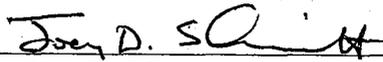
Issued this 20th day of September, 2007.


Administrative Law Judge


Jim Leslie


Gary F. Ball
Attorney for Complainant

USDA—In Re: Jim Leslie, P & S Docket No. D-07-0049,
Decision Without Hearing by Reason of Consent



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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:) P & S Docket No. D-07-0049
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Jim L. Leslie,)
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Respondent) Complaint

There is reason to believe that the Respondent named herein has willfully violated provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 et seq.), hereinafter referred to as the Act, and therefore this complaint is issued alleging the following:

I.

Jim L. Leslie, referred to herein as "Respondent," is an individual whose mailing address is P.O. Box 6, Dacoma, OK 73731. At all times material herein the Respondent was:

- (a) Engaged in the business of buying and selling, for his own account as a dealer, livestock in commerce.
- (b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce for his own account.

II.

- (a) Respondent, on or about the dates and in the transactions set forth below, issued checks in payment for livestock purchases which checks 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 accounts upon which such checks were drawn to pay the checks when presented.

Payee	Purchase Date	No. of Head	Check No.	Check Date	Date Returned	Amount
Murray Edwards	8/12/05	93	1032	8/16/05	8/29/05	\$60,092.50
Murray Edwards	8/19/05	85	1039	Unknown	9/12/05	\$55,286.18
Murray Edwards	8/19/05	88	1040	Unknown	9/12/05	\$55,431.95
Murray Edwards	8/19/05	102	1041	Unknown	9/12/05	\$58,088.70
Murray Edwards	8/26/05	89	1049	8/31/05	9/12/05	\$56,741.41
Murray Edwards	8/26/05	86	1050	8/31/05	9/12/05	\$56,312.73
Murray Edwards	8/26/05	101	1051	8/31/05	9/12/05	\$58,826.58
Murray Edwards	9/1/05	86	1061	9/1/05	9/16/05	\$56,932.81
Murray Edwards	9/2/05	83	1059	9/7/05	9/19/05	\$55,039.21
Murray Edwards	9/2/05	97	1060	9/7/05	9/20/05	\$58,475.60
TOTALS		910				\$571,227.67

(b) On or about the dates and in the transactions set forth above Respondent purchased livestock and failed to pay, when due, for such livestock purchases.

(c) At the time of the filing of the complaint, \$402,420.84 of the amount described above remained unpaid.

III.

Respondent, in connection with his operations subject to the Act, failed to keep accounts, records, and memoranda which fully and correctly disclosed all the transactions involved in his business as a livestock dealer as required by section 401 of the Act (7 U.S.C. § 221). Specifically, Respondent failed to keep all check record books, account

credit statements documenting multiple wire transfer payments from Monte Sharp, and other records associated with livestock purchases and sales.

IV.

By reason of the facts alleged in paragraph II above, Respondent has willfully violated sections 312(a) and 409 of the Act (7 U.S.C. § 213(a), 228b).

By reason of the facts alleged in paragraph III above, Respondent failed to meet the requirements of section 401 of the Act.

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. Respondent shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington D.C. 20250, in accordance with the Rules of Practice Governing Proceedings Under the Act (7 C.F.R. § 1.130 et seq.; "Rules of Practice"). 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.

Packers and Stockyards Program, GIPSA, 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 found to exist, and

suspending Respondent as a registrant under the Act, as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 3 day of January, 2007



Alan R. Christian
Deputy Administrator,
Packers and Stockyards Program



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