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USDA
C-10-010

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

APR 2 11 3 28

In re:)	P. & S. Docket No. D-08- 0063
)	
Charles Rickey Johnson)	
)	
Respondent)	
)	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.; hereinafter "Act"), and, therefore, this complaint is issued alleging the following:

I.

(a) Charles Rickey Johnson (hereinafter "Respondent"), is an individual whose mailing address is P.O. Box 492, Glasgow, Kentucky 42141.

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

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

II.

(a) Respondent, on or about the dates and in the transactions set forth below, purchased livestock and failed to pay, when due, the full purchase price of such livestock.

Seller	Purchase Date	No. of Head	Due Date	Livestock Amount Due	Date Paid	Check No.	Check Amount	Days Late
United Producers, Inc.	3/20/06	3	3/21/06	\$2,528.85	3/24/06	4586	\$2,528.85	3
	3/27/06	9	3/28/06	\$7,051.19	3/31/06	4623	\$7,051.19	3
	3/30/06	6	3/31/06	\$5,401.73	4/5/06	4653	\$5,401.73	5
	4/3/06	10	4/4/06	\$7,094.25	4/10/06	4689	\$7,094.25	6
	4/6/06	5	4/7/06	\$3,117.03	4/11/06	4705	\$3,127.03 ¹	4
	4/10/06	9	4/11/06	\$7,743.65	4/15/06	4720	\$7,743.65	4
	4/13/06	5	4/14/06	\$5,310.63	4/18/06	4731	\$5,310.63	4
	4/17/06	7	4/18/06	\$5,917.59	4/21/06	4784	\$5,937.59 ¹	3
	4/24/06	11	4/25/06	\$7,355.38	4/27/06	4829	\$7,355.38	2
	5/1/06	17	5/2/06	\$13,888.32	5/4/06	4864	\$13,908.32 ¹	2
	5/8/06	9	5/9/06	\$8,566.74	5/15/06	4912	\$8,596.74 ¹	6
	5/11/06	3	5/12/06	\$3,056.63	5/15/06	4956	\$3,091.63 ¹	3
	5/15/06	2	5/16/06	\$1,525.10	5/17/06	4964	\$1,525.10	1
5/22/06	19	5/23/06	\$14,784.96	5/24/06	5007	\$14,819.96 ¹	1	
Barren River Regional Livestock	4/18/06	30	4/19/06	\$21,016.73	4/24/06	4806	\$21,026.73 ¹	5
	4/25/06	23	4/26/06	\$15,479.91	4/27/06	4831	\$15,489.91 ¹	1
	5/2/06	5	5/3/06	\$3,486.06	5/4/06	4866	\$3,501.06 ¹	1
	5/9/06	17	5/10/06	\$11,241.53	5/13/06	4918	\$11,271.53 ¹	3
Russell County Stockyards	4/19/06	17	4/20/06	\$11,167.19	4/21/06	4800	\$11,287.19 ¹	1
	5/3/06	15	5/4/06	\$8,830.49	5/5/06	4883	\$8,950.49 ¹	1
	5/10/06	13	5/11/06	\$10,361.64	5/13/06	4952	\$10,481.64 ¹	2
	5/17/06	21	5/18/06	\$13,288.78	5/19/06	4981	\$13,458.78 ¹	1
Mid-Kentucky Livestock Market	4/25/06	20	4/26/06	\$12,260.11	4/27/06	4834	\$12,260.11	1
	5/9/06	25	5/10/06	\$14,342.29	5/13/06	4921	\$14,342.29	3
Lake Cumberland Livestock Market	4/29/06	19	5/1/06	\$11,479.70	5/2/06	4860	\$11,479.70	1
	5/6/06	12	5/8/06	\$7,905.07	5/9/06	4905	\$7,964.57 ¹	1

¹Amount includes non-livestock charges such as feed and freight.

III.

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

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 the 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 Formal Adjudicatory Proceedings Instituted by the Secretary Under Various Statutes (7 C.F.R. § 1.130 et seq.; hereinafter "Rules of Practice").

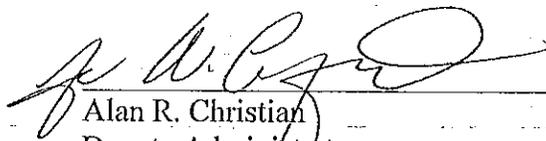
Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this complaint.

The Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (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 assessing such civil penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.

this 20 day of February, 2008



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program

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