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UNITED STATES DEPARTMENT OF AGRICULTURE NOV 5 AM 9:40

BEFORE THE SECRETARY OF AGRICULTURE RECEIVED

In re:) P & S Docket No. D- 11-0290
)
Randy Myers,)
)
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.), (Act), and, therefore, this Complaint is issued alleging the following:

I

(a) Randy Myers, hereinafter referred to as the Respondent, is an individual.

Respondent's business mailing address is his home address. In order to protect the personal privacy of Respondent, Complainant is not providing the principal's address in this Complaint, but Complainant has provided the address to the Hearing Clerk so that service can be effected.

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

- (1) Engaged in the business of buying livestock in commerce on a commission basis; and
- (2) Not registered, as required, as a market agency buying livestock in commerce on a commission basis, with the Secretary of Agriculture.

II

On November 19, 2009, Respondent was notified by certified mail that the Packers and Stockyards Program had information indicating that Respondent was operating as a market agency without being registered or maintaining an adequate bond as required by the Act. The

letter referenced § 312 of the Act (7 U.S.C § 213) and section 201.29 of the Regulations (9 C.F.R § 201.29), and notified the Respondent of his obligation to register and to secure a bond or bond equivalent. The letter also stated that unless Respondent provided proof of suitable bond or bond equivalent with the Packers and Stockyards Program, Respondent must discontinue all livestock operations for which bonding is required under the Act.

Notwithstanding such notice, Respondent continued to engage in the business of buying livestock in commerce on a commission basis without registering or maintaining an adequate bond as required by the Act and the Regulations.

III

On or about the dates and in the transactions set forth below, Respondent engaged in the business of a market agency without maintaining an adequate bond or bond equivalent.

DATE OF PURCHASE	PURCHASED FROM	NO. HEAD	COMMISSION AMOUNT
01/05/2010	Waurika Livestock Commission Co., Inc. Waurika, OK	26	\$141.80
01/06/2010	Wichita Livestock Sales Co., LLC Wichita Falls, TX	35	\$221.43
01/12/2010	Waurika Livestock Commission Co., Inc.	24	\$126.68
01/26/2010	Waurika Livestock Commission Co., Inc.	21	\$114.60
01/27/2010	Wichita Livestock Sales Co., LLC	44	\$258.65
02/10/2010	Wichita Livestock Sales Co., LLC	25	\$160.73

DATE OF PURCHASE	PURCHASED FROM	NO. HEAD	COMMISSION AMOUNT
03/02/2010	Waurika Livestock Commission Co., Inc.	11	\$60.28
03/10/2010	Wichita Livestock Sales Co., LLC	35	\$225.85
03/16/2010	Waurika Livestock Commission Co., Inc.	54	\$339.28
03/24/2010	Wichita Livestock Sales Co., LLC	59	\$328.28
03/30/2010	Waurika Livestock Commission Co., Inc.	18	\$106.70
03/31/2010	Wichita Livestock Sales Co., LLC.	67	\$413.35
04/14/2010	Wichita Livestock Sales Co., LLC.	104	\$584.08
04/20/2010	Waurika Livestock Commission Co., Inc.	10	\$55.43
04/27/2010	Waurika Livestock Commission Co., Inc.	76	\$419.50
04/28/2010	Wichita Livestock Sales Co., LLC.	88	\$487.88

IV

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

WHEREFORE, it is hereby ordered that for the purpose of determining whether the Respondent has in fact willfully violated the Act, this Complaint shall be served upon the

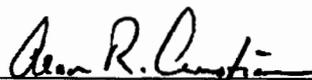
Respondent. The Respondent shall file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, in accordance with the Rules of Practice governing proceedings under the Act (7 C.F.R. § 1.130 et seq.). Failure to file an answer shall constitute an admission of all the material allegations of this complaint.

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

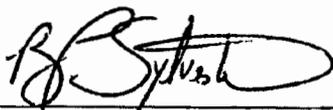
1. That unless the Respondent fails to file an answer within the time allowed therefor, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice governing proceedings under the Act; and
2. That such order or orders be issued, including an order requiring the Respondent to cease and desist from the violations found to exist, and assessing such civil penalties as are authorized by the Act and warranted in the premises.

Done at Washington, D.C.

this 14 day of June



Alan R. Christian
Deputy Administrator
Packers and Stockyards Programs



BRIAN SYLVESTER
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