

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P. & S. Docket No. D-96
Southeast Livestock Order)
Buyers, Inc., Jefferson)
County Stockyards, Inc.,)
Jacquelyn A. Chandler and)
William Chandler,)
Respondents) 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, United States Department of Agriculture, alleging that respondents have willfully violated the Act. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

Respondents admit the jurisdictional allegations in paragraph I of the Complaint and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations, waive oral hearing and further procedure, and consent and agree, 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) Respondent, Southeast Livestock Order Buyers, Inc., hereinafter often referred to as "respondent Southeast", is a

Florida corporation whose business mailing address is P.O. Box 696, Monticello, Florida 32345.

(2) Respondent Southeast was at all times material herein:

(a) Engaged in the business of a dealer, buying and selling livestock in commerce for its own account or the account of others; and

(b) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock for its own account or the account of others, and as a market agency buying livestock on commission.

(3) Respondent, Jefferson County Stockyards, Inc., hereinafter referred to as "respondent Jefferson County", is a Florida corporation whose business mailing address is 3223 Pine Club Drive, Plant City, Florida 33567.

(4) Respondent Jefferson County was at all times material herein:

(a) Engaged in the business of a dealer, buying and selling livestock in commerce for its own account or the account of others; and

(b) Not registered with the Secretary of Agriculture in any capacity subject to the Act.

(5) Respondent Jefferson County was at all times material herein the 100 percent stockholder of respondent Southeast.

(6) Respondent Jacquelyn A. Chandler is an individual whose business mailing address is 803 Marlin, Hitchcock, Texas 77563.

(7) Respondent Jacquelyn A. Chandler was at all times material herein:

(a) President of respondent Southeast;

(b) President and 100 percent stockholder of respondent Jefferson County; and

(c) Responsible for the direction, management and control of respondents Southeast and Jefferson County.

(8) Respondent William Chandler is an individual whose business mailing address is P.O. Box 696, Monticello, Florida 32345.

(9) Respondent William Chandler was at all times material herein:

(a) Secretary/treasurer of respondent Southeast; and

(b) Responsible for the direction, management and control of respondent Southeast.

(c) William Chandler is currently the 100 percent stockholder of respondent Jefferson County.

(10) Respondent William Chandler is currently registered with the Secretary of Agriculture as a dealer to buy and sell livestock for his own account or the account of others, and as a market agency buying livestock on commission.

(11) Respondents have fully reimbursed Monticello Stockyard, Inc., Monticello, Florida, respondents' clearor, in the amount of approximately \$100,000.00, derived from livestock sold from August 1994, through December 1994. Full reimbursement was not made until November 1996.

Conclusions

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

Order

Respondents Southeast Livestock Order Buyers, Inc. and Jefferson County Stockyards, Inc., their officers, directors, agents, employees, successors and assigns, and respondents Jacquelyn A. Chandler and William Chandler, individually or through any corporate or other device, in connection with their operations subject to the Act, shall cease and desist from failing to reimburse, when due, respondents' clearor with funds received by respondents from the sale of livestock for which the clearor had made payment.

Respondent Southeast Livestock Order Buyers, Inc. is suspended as a registrant under the Act for a period of 180 days.

Respondents Jefferson County Stockyards, Inc. and Jacquelyn A. Chandler shall not be registered for a period of 180 days and, pursuant to section 303 of the Act (7 U.S.C. § 203), are prohibited from operating subject to the Act while they are not registered.

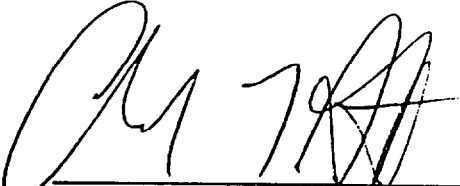
Respondent William Chandler is suspended as a registrant under the Act for a period of 180 days.

A supplemental order will be issued upon application to Packers and Stockyards Programs to permit the salaried employment of respondents Jacquelyn A. Chandler and William Chandler by


another registrant or packer after 60 days from the effective date of this order.

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

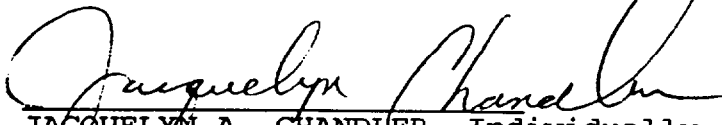
Copies of this decision shall be served upon the parties.



ANDREW Y. STANTON
Attorney for Complainant



WILLIAM CHANDLER, Individually
and on behalf of Respondents
SOUTHEAST LIVESTOCK ORDER BUYERS,
INC. AND JEFFERSON COUNTY STOCKYARDS, INC.



JACQUELYN A. CHANDLER, Individually
and on behalf of Respondents
SOUTHEAST LIVESTOCK ORDER BUYERS,
INC. AND JEFFERSON COUNTY STOCKYARDS, INC.

Issued this 22nd day of
November, 1996.



Administrative Law Judge