



UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:) P&S Docket No. D-13-0243
)
)
) Jerry Stokes d/b/a)
) Jerry Stokes Cattle)
)
) Respondent) Complaint

There is reason to believe that the respondent named herein has willfully violated the Packers & 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) Jerry Stokes, d/b/a Jerry Stokes Cattle, referred to herein as the respondent, has a mailing address of 10672 E FM 2907, Garrison, Texas 75946.
- (b) The respondent at all times material herein was:
 - (1) Engaged in the business of a market agency buying livestock on a commission basis in commerce; and
 - (2) Engaged in the business of a dealer buying and selling livestock in commerce;
- (c) Registered with the Secretary of Agriculture as a market agency to buy livestock on a commission basis in commerce, and registered as a dealer to buy and sell livestock in commerce.

II.

During the period from January, 2012, through March, 2012, in 18 transactions involving the purchase of a total of 626 head of livestock from three different livestock auction markets, for an approximate purchase price of \$458,274.55, the respondent failed to pay, when due, the

full amount of the livestock purchase prices within the time period required by the Act, in violation of sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and 228b). Payment in these 18 transactions was remitted between two and three days late. A schedule of these transactions is set forth in Appendix A to this complaint.

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated the Act and regulations issued thereunder, this complaint shall be served upon the respondent. The respondent shall have twenty (20) days following receipt of this complaint to file an Answer with the Hearing Clerk, Room 1031 - South Building, United States Department of Agriculture, 1400 Independence Ave., S.W., Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing the 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 in this complaint and a waiver of hearing.

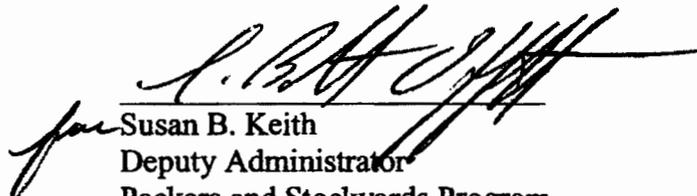
The Grain Inspection, Packers and Stockyards Administration, Packers and Stockyards Program, requests:

1. That unless the 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 an order be issued requiring the respondent to cease and desist from the violations of the Act and the regulations found to exist; suspending the respondent as a registrant under the Act and prohibiting the respondent, for a specified period, from engaging in

business in any capacity for which registration and bonding are required under the Act; and assessing such civil penalties against the respondent as are authorized by the Act and warranted by the facts and circumstances of this case.

Done at Washington, D.C.

this 23rd day of May, 2013


for Susan B. Keith
Deputy Administrator
Packers and Stockyards Program

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Appendix A

Purchased From	Purchase Date	No. of Head of Cattle Purchased	Livestock Amount	Payment Due Date per \$409	Payment date
Athens Commission Company, Inc.	1/27/2012	46	\$35,812.45	1/30/2012	2/1/2012
Athens Commission Company, Inc.	2/3/2012	36	\$27,387.93	2/6/2012	2/9/2012
Athens Commission Company, Inc.	2/10/2012	44	\$37,820.69	2/13/2012	2/15/2012
Athens Commission Company, Inc.	2/24/2012	38	\$32,864.37	2/27/2012	2/29/2012
Athens Commission Company, Inc.	3/2/2012	50	\$40,860.39	3/5/2012	3/7/2012
Athens Commission Company, Inc.	3/16/2012	65	\$53,797.64	3/19/2012	3/22/2012
Emory Livestock Auction, Inc.	1/28/2012	14	\$12,844.63	1/30/2012	2/1/2012
Emory Livestock Auction, Inc.	1/31/2012	17	\$12,326.91	2/1/2012	2/3/2012
Emory Livestock Auction, Inc.	2/4/2012	41	\$19,771.88	2/6/2012	2/9/2012
Emory Livestock Auction, Inc.	2/7/2012	17	\$12,706.09	2/8/2012	2/10/2012
Emory Livestock	2/11/2012	33	\$26,666.69	2/13/2012	2/15/2012

Auction, Inc.					
Emory Livestock Auction, Inc.	2/14/2012	23	\$22,241.30	2/15/2012	2/17/2012
Emory Livestock Auction, Inc.	2/25/2012	48	\$32,231.20	2/27/2012	2/29/2012
Emory Livestock Auction, Inc.	2/28/2012	48	\$24,244.50	2/29/2012	3/2/2012
Emory Livestock Auction, Inc.	3/3/2012	45	\$29,054.96	3/5/2012	3/7/2012
Emory Livestock Auction, Inc.	3/6/2012	32	\$22,666.97	3/7/2012	3/9/2012
Tri-County Livestock Market, Inc.	1/28/2012	21	\$10,836.40	1/30/2012	2/1/2012
Tri-County Livestock Market, Inc.	2/4/2012	8	\$4,139.55	2/6/2012	2/9/2012

