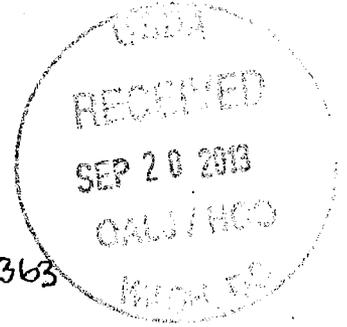


UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE



In re:) P & S Docket No. D-13-0363
)
David Snell)
)
)
)
)
)
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.*), (Act) and, therefore, this Complaint is issued alleging the following:

I

(a) David Snell, herein referred to as Respondent, is an individual. Respondent's business mailing address is 161 Highway 769 Loop, Somerset, Kentucky 42501.

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

1. Engaged in business as a dealer, buying and selling livestock in commerce for his own account; and
2. Not registered as a dealer as required by the Act.

II

On February 26, 2010 and May 15, 2010, Respondent received Notices of Default (NODs), advising Respondent of the requirements to become registered and bonded as a livestock dealer under the Act. See Exhibits 1 and 2. The NODs also advised Respondent

that his continued livestock operations without properly registering and filing a bond or bond equivalent constituted a violation of the Act. Notwithstanding receipt of these NODs, Respondent continued to purchase and sell livestock from February 27, 2010 through February 14, 2013 as a dealer buying and selling on commission without a bond or registration under the Act. See Exhibit 3.

III

During the period of February 27, 2010 through February 14, 2013, Respondent failed to maintain proper records of his livestock purchase transactions as required by section 401 of the Act (7 U.S.C. 221).

IV

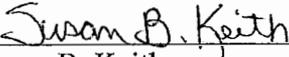
By reason of the facts alleged herein, Respondent has willfully violated sections 312(a) and 401 of the Act (7 U.S.C. § 213(a) and 7 U.S.C. 221)) and section 201.29 of the Regulations (9 C.F.R § 201.29).

WHEREFORE, it is hereby ordered that for the purpose of determining whether Respondent has in fact willfully violated the Act, this Complaint shall be served upon Respondent. 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.). Failure to file an answer shall constitute an admission of all the material allegations of this Complaint.

Respondent is hereby notified that unless hearing is waived, either expressly or by failure to answer and request a hearing, a hearing will be held in accordance with the

Rules of Practice, at a place and time to be designated later. At the hearing, Respondent will have the right to appear and show cause why an appropriate Order should not be issued in accordance with the provisions of the Act which requires that Respondent cease and desist from violating the Act with respect to matters alleged herein and assesses such civil penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.
this 19th day of September, 2013



Susan B. Keith
Deputy Administrator
Packers and Stockyards Program

Brian Sylvester, Esq.
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