

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

|                 |   |                                |
|-----------------|---|--------------------------------|
| In re:          | ) |                                |
|                 | ) |                                |
| Billy E. Rowan, | ) | <b>A.Q. Docket No. 06-0006</b> |
|                 | ) |                                |
| Respondent      | ) | <b>Post-Decision Order</b>     |

1. The hearing was held on July 10, 2008, and the Decision and Order was issued on September 11, 2008.
2. The Complainant is the Administrator of the Animal and Plant Health Inspection Service, United States Department of Agriculture (frequently herein “APHIS” or “Complainant”). APHIS is represented by Thomas Neil Bolick, Esq., Office of the General Counsel, Regulatory Division, United States Department of Agriculture, South Building, 1400 Independence Ave. SW, Washington, D.C. 20250.
3. The Respondent, Billy E. Rowan (frequently herein “Respondent Billy Rowan” or “Respondent”), appears *pro se* (represents himself).
4. APHIS’s “Application for Payment of Full Civil Penalty” was filed on March 16, 2009. APHIS’s (1) photocopy of a Promissory Note dated April 6, 2009, and (2) photocopy of Respondent Billy Rowan’s check #2827 in the amount of \$450.00, were presented to me by Mr. Bolick during May 2009; and, later, at my request, filed by Mr. Bolick on June 8, 2009.
5. It is **not** necessary for me to order Respondent Billy Rowan to pay the full amount of

\$12,650.00 in civil penalties (plus interest, fees, and penalties), so long as Respondent Billy Rowan complies with the agreement expressed in the Promissory Note (paying the \$7,803.01 balance), and on condition that he through July 9, 2013, commit no further violations of the Commercial Transportation of Equine for Slaughter Act, 7 U.S.C. § 1901 note, and the Regulations promulgated thereunder (9 C.F.R. § 88 *et seq.*).

6. Consequently, APHIS's "Application for Payment of Full Civil Penalty" is DENIED, without prejudice to file anew if, in the future, it becomes necessary.

Copies of this Post-Decision Order shall be served by the Hearing Clerk upon each of the parties, together with all pages of APHIS's June 8, 2009 filing, mailing Mr. Rowan's copies by ordinary mail to his post office box.

Done at Washington, D.C.  
this 16<sup>th</sup> day of June 2009

Jill S. Clifton  
Administrative Law Judge

Hearing Clerk's Office  
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