

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:

DANNY ERWIN,
an individual,

HPA Docket No. 25-J-0005

SUSAN ERWIN,
an individual,

HPA Docket No. 25-J-0006

CARROLL DOYLE,
an individual,

HPA Docket No. 25-J-0007

Respondents.

REC'D - USDA/OALJ/HCO
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CONSENT DECISION AND ORDER

Appearances:

Sofia Nadri, Esq., Office of the General Counsel, United States Department of Agriculture, Washington, D.C., for the Complainant, the Administrator of the Animal and Plant Health Inspection Service (“APHIS”);

Robin Webb, Esq., for the Respondents (named in the case caption above).

Before Tierney Carlos, Administrative Law Judge

This proceeding was instituted under the Horse Protection Act, as amended (15 U.S.C. §§ 1821-1831) (“Act” or “HPA”), by a complaint filed by the Administrator of the Animal and Plant Health Inspection Service (“Complainant”), alleging that the Respondents Danny Erwin, Susan Erwin, and Carroll Doyle (“Respondents”) violated the Act. Complainant and Respondents have agreed that this proceeding should be terminated by the entry of this Consent Decision and Order (“Consent Decision”) pursuant to the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138), and have thereby agreed to the following stipulations:

Respondents admit the jurisdictional facts in the complaint and specifically admit that the Secretary has jurisdiction in this matter as set forth in the Findings of Fact section *infra*. Respondents neither admit nor deny the remaining allegations in the complaint; waive oral hearing

and all rights or defenses Respondents may have for this matter to be adjudicated in a federal district court in the first instance, including any associated right to a jury trial; waive all rights to seek judicial review or otherwise challenge or contest the validity of this Consent Decision, including waiving challenges to the Administrative Law Judge's authority to enter this Consent Decision under the Administrative Procedure Act and the Constitution of the United States; waive any action against the United States Department of Agriculture ("USDA") under the Equal Access to Justice Act of 1980 (5 U.S.C. § 504), for fees and other expenses incurred by Respondents in connection with this proceeding; and waive any action against any USDA employee in his or her individual capacity.

The parties consent and agree to the entry of this Consent Decision for the purpose of settling this proceeding.

FINDINGS OF FACT

1. Respondents Danny Erwin, Susan Erwin, and Carroll Doyle are individuals residing in the Commonwealth of Kentucky.

2. At all times material herein, Respondents were "person[s]" and "exhibitor[s]," as those terms are defined in the regulations issued pursuant to the Act (9 C.F.R. § 11.1).

3. On April 23, 2022, a horse show titled the 1st Annual Bluegrass Classic ("Bluegrass Classic") was held in Morehead, Kentucky.

4. On or about April 23, 2022, Respondent Carroll Doyle transported, affirmed the entry form for, and presented for inspection a horse named "Everyready's Last Dance," a horse which, based on each and all the foregoing acts, he entered for the purpose of showing in the Bluegrass Classic.

5. On or about April 23, 2022, Respondent Danny Erwin, as the registered sole owner of the horse named “Everyready’s Last Dance,” allowed the entry of “Everyready’s Last Dance,” for the purpose of showing the horse in the Bluegrass Classic.

6. On September 15, 2023, a horse show titled the Kentucky Celebration was held in Harrodsburg, Kentucky.

7. On or about September 15, 2023, Respondent Carroll Doyle paid the entry fee for a horse named “Everyready’s Last Dance,” a horse which he entered for the purpose of showing in the Kentucky Celebration.

8. On September 15, 2023, Respondent Susan Erwin showed a horse named “Everyready’s Last Dance,” entered as class number 11, entry number 547, in class 11 of the Kentucky Celebration.

9. On or about September 15, 2023, Respondent Danny Erwin, as the registered sole owner of the horse named “Everyready’s Last Dance” allowed the entry of “Everyready’s Last Dance,” for the purpose of showing the horse in the Kentucky Celebration; and allowed the showing of “Everyready’s Last Dance” in the Kentucky Celebration.

CONCLUSION OF LAW

Respondents having admitted the jurisdictional facts set forth herein and the parties having agreed to the entry of this Consent Decision, such Consent Decision shall be entered.

ORDER

1. Respondent Danny Erwin, an individual, is assessed a civil penalty in the amount of ten dollars (\$10.00). Respondent shall send a certified check or money order for ten dollars (\$10.00), made payable to the “Treasurer of the United States,” to USDA APHIS GENERAL, P.O. Box 979043, St. Louis, Missouri 63197-9000, within thirty (30) days from the effective date of

this Consent Decision. Respondent shall indicate on the certified check or money order that payment is in reference to HPA Docket No. 25-J-0005.

2. Respondent Danny Erwin is disqualified for a period of two (2) years from: (i) showing, exhibiting, and/or entering any horse in any horse show,¹ horse exhibition,² horse sale or horse auction;³ (ii) judging, and/or managing any horse show, horse exhibition, horse sale or horse auction; and (iii) otherwise participating⁴ in any horse show, horse exhibition, horse sale or horse auction, directly or indirectly, through any agent, employee, corporation, partnership, business or other device. The two (2)-year disqualification period shall begin on the effective date of this Consent Decision.

3. If Respondent Danny Erwin fails to pay the ten dollar (\$10.00) civil penalty, or any amount of said civil penalty remains unpaid at the end of the two (2)-year disqualification period, respondent shall continue to be disqualified from all of the activities set forth in paragraph two (2) herein unless and until the ten dollar (\$10.00) civil penalty is paid in full.

4. Respondent Susan Erwin, an individual, is assessed a civil penalty in the amount of two thousand dollars (\$2,000.00). Respondent shall send a certified check or money order for two thousand dollars (\$2,000.00), made payable to the “Treasurer of the United States,” to USDA APHIS GENERAL, P.O. Box 979043, St. Louis, Missouri 63197-9000, within thirty (30) days

¹ “Horse show” means a public display of any horses, in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

² “Horse exhibition” means a public display of any horses, singly or in groups, but not in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

³ “Horse sale or horse auction” means any event, public or private, at which horses are sold or auctioned, regardless of whether or not said horses are exhibited prior to or during the sale or auction. 9 C.F.R. § 11.1.

⁴ “Participating” means engaging in any activity beyond that of a spectator and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas or in any area where spectators are not allowed, and financing the participation of others in equine events.

from the effective date of this Consent Decision. Respondent shall indicate on the certified check or money order that payment is in reference to HPA Docket No. 25-J-0006.

5. Respondent Susan Erwin is disqualified for a period of six (6) months from: (i) showing, exhibiting, and/or entering any horse in any horse show,⁵ horse exhibition,⁶ horse sale or horse auction;⁷ (ii) judging, and/or managing any horse show, horse exhibition, horse sale or horse auction; and (iii) otherwise participating⁸ in any horse show, horse exhibition, horse sale or horse auction, directly or indirectly, through any agent, employee, corporation, partnership, business or other device. The six (6)-month disqualification period shall begin on the effective date of this Consent Decision.

6. If Respondent Susan Erwin fails to pay the two thousand dollar (\$2,000.00) civil penalty, or any amount of said civil penalty remains unpaid at the end of the six (6)-month disqualification period, respondent shall continue to be disqualified from all of the activities set forth in paragraph five (5) herein unless and until the two thousand dollar (\$2,000.00) civil penalty is paid in full.

7. Respondent Carroll Doyle, an individual, is assessed a civil penalty in the amount of four thousand dollars (\$4,000.00). Respondent shall send a certified check or money order for four thousand dollars (\$4,000.00), made payable to the “Treasurer of the United States,” to USDA APHIS GENERAL, P.O. Box 979043, St. Louis, Missouri 63197-9000, within thirty (30) days

⁵ “Horse show” means a public display of any horses, in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

⁶ “Horse exhibition” means a public display of any horses, singly or in groups, but not in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

⁷ “Horse sale or horse auction” means any event, public or private, at which horses are sold or auctioned, regardless of whether or not said horses are exhibited prior to or during the sale or auction. 9 C.F.R. § 11.1.

⁸ “Participating” means engaging in any activity beyond that of a spectator and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas or in any area where spectators are not allowed, and financing the participation of others in equine events.

from the effective date of this Consent Decision. Respondent shall indicate on the certified check or money order that payment is in reference to HPA Docket No. 25-J-0007.

8. Respondent Carroll Doyle is disqualified for a period of two (2) years from: (i) showing, exhibiting, and/or entering any horse in any horse show,⁹ horse exhibition,¹⁰ horse sale or horse auction;¹¹ (ii) judging, and/or managing any horse show, horse exhibition, horse sale or horse auction; and (iii) otherwise participating¹² in any horse show, horse exhibition, horse sale or horse auction, directly or indirectly, through any agent, employee, corporation, partnership, business or other device. The two (2)-year disqualification period shall begin on the effective date of this Consent Decision.

9. If Respondent Carroll Doyle fails to pay the four thousand dollar (\$4,000.00) civil penalty, or any amount of said civil penalty remains unpaid at the end of the two (2)-year disqualification period, respondent shall continue to be disqualified from all of the activities set forth in paragraph eight (8) herein unless and until the four thousand dollar (\$4,000.00) civil penalty is paid in full.

10. The terms of this Consent Decision shall become final and effective as of the date of signature by the Administrative Law Judge.

11. Copies of this Consent Decision shall be served on the parties and their counsel.

⁹ "Horse show" means a public display of any horses, in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

¹⁰ "Horse exhibition" means a public display of any horses, singly or in groups, but not in competition, except events where speed is the prime factor, rodeo events, parades, or trail rides. 9 C.F.R. § 11.1.

¹¹ "Horse sale or horse auction" means any event, public or private, at which horses are sold or auctioned, regardless of whether or not said horses are exhibited prior to or during the sale or auction. 9 C.F.R. § 11.1.

¹² "Participating" means engaging in any activity beyond that of a spectator and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas or in any area where spectators are not allowed, and financing the participation of others in equine events.

BY: Sofia Nadri
Sofia Nadri
Attorney for Complainant
[REDACTED]

BY: [REDACTED]
Danny Erwin c:s TwAulhoyet
[REDACTED]

BY: [REDACTED]
Susan Erwin s/w/attorneys
[REDACTED]

B [REDACTED]
Carroll Doyle s/w/attorneys
[REDACTED]
BY [REDACTED]
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Attorney for Respondents

Done at Washington, D.C.

this 12 day of August, 2025

Tierney Carlos
Tierney Carlos
Administrative Law Judge