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UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

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In re:	)	
	)	P & S Docket No. D-12- 0374
Daryl Bowman and	)	
Daryl Bowman Livestock, Inc.	)	
	)	
Respondents	)	Complaint

There is reason to believe that the Respondents named herein have willfully violated provisions of the Packers and Stockyards Act, 1921, as amended and supplemented (7 U.S.C. § 181 *et seq.*), herein referred to as the Act, and, therefore, this Complaint is issued alleging the following:

I.

(a) Daryl Bowman is an individual who is 100% owner of Daryl Bowman Livestock, Inc., a corporation operating and existing under the laws of the Commonwealth of Virginia. Daryl Bowman and Daryl Bowman Livestock, Inc. are herein referred to as Respondents. Respondents' business mailing address is a home address. In order to protect the personal privacy of Respondents, Complainant is not providing Respondents' address in this Complaint, but Complainant has provided the address to the Hearing Clerk so that service can be effected.

- (b) Respondents, at all times material herein, were:
- (1) Engaged in business as a dealer, buying and selling livestock in commerce for his own account; and
  - (2) Registered with the Secretary of Agriculture as a dealer to buy and sell

ECN# 64754

livestock in commerce for his own account.

## II

On or about the dates and in the transactions set forth in Appendix A, Respondents failed to pay, when due, the full purchase price of such livestock.

## III

By reason of the facts alleged in paragraph II, Respondents have willfully violated sections 312(a) and 409 of the Act (7 U.S.C. §§ 213(a) and § 228b).

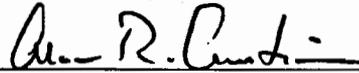
WHEREFORE, it is hereby ordered that this Complaint shall be served upon Respondents for the purpose of determining whether the Respondents have willfully violated the Act. Respondents shall have twenty (20) days after receipt of this complaint in which to file an answer with the Hearing Clerk, United 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.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer shall constitute an admission of all the material allegations of this Complaint.

The Packers and Stockyards Program, Grain Inspection, Packers and Stockyards Administration (GIPSA), requests:

1. That unless Respondents fail 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 accord with the Rules of Practice governing proceedings under the Act; and

2. That such order or orders be issued, including an order requiring Respondents to cease and desist from violating the Act with respect to the matters alleged herein, and assessing such penalties as are authorized by the Act and warranted under the circumstances.

Done at Washington, D.C.  
this 19 day of April, 2012



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Alan R. Christian  
Deputy Administrator  
Packers and Stockyards Program

Brian Sylvester  
Attorney for Complainant  
U.S. Department of Agriculture  
Office of the General Counsel  
1400 Independence Avenue, S.W.  
Room 2313-S  
Washington, D.C. 20250-1413

## Appendix A

### Schedule of Failure to Pay, When Due, for Livestock Entity Information

Purchase Date	Seller's Name	Number of Head	Total Invoice	Due Date	Payment Delivery Date	Check Number	Payment Amount	Days Late Per Delivery Date	Remarks
11/11/2009	Farmers Livestock Exchange, Inc.	32	\$16,644.50	11/12/2009	11/23/2009	8985	\$16,644.50	11	
11/23/2009	Farmers Livestock Exchange, Inc.	38	\$15,510.13	11/24/2009	12/3/2009	9008	\$15,510.13	9	
12/7/2009	Farmers Livestock Exchange, Inc.	14	\$5,493.20	12/8/2009	12/15/2009	9060	\$5,493.20	7	
12/9/2009	Farmers Livestock Exchange, Inc.	25	\$7,936.27	12/10/2009	12/17/2009	9116	\$7,936.27	7	
12/14/2009	Farmers Livestock Exchange, Inc.	8	\$3,327.15	12/15/2009	12/17/2009	9111	\$3,327.15	2	
12/21/2009	Farmers Livestock Exchange, Inc.	21	\$8,951.04	12/22/2009	1/5/2010	9127	\$8,951.04	14	
1/11/2010	Farmers Livestock Exchange, Inc.	27	\$8,702.75	1/12/2010	1/19/2010	9204	\$8,702.75	7	
1/13/2010	Farmers Livestock Exchange, Inc.	3	\$990.48	1/14/2010	1/25/2010	9222	\$990.48	11	check #9222 for two purchases totaled \$3,594.91
1/18/2010	Farmers Livestock Exchange, Inc.	5	\$2,604.43	1/19/2010	1/25/2010	9222	\$2,604.43	6	check #9222 for two purchases totaled \$3,594.91
1/25/2010	Farmers Livestock Exchange, Inc.	25	\$15,458.65	1/26/2010	2/1/2010	9251	\$15,458.65	6	
9/22/2009	Virginia Cattle Company	9	\$3,783.75	9/23/2009	9/29/2009	8693	\$3,783.75	6	
9/29/2009	Virginia Cattle Company	31	\$11,534.67	9/30/2009	10/6/2009	8709	\$11,534.67	6	
10/13/2009	Virginia Cattle Company	74	\$33,166.39	10/14/2009	10/20/2009	8798	\$33,166.39	6	
10/20/2009	Virginia Cattle Company	64	\$23,606.86	10/21/2009	10/27/2009	8847	\$23,606.86	6	
11/3/2009	Virginia Cattle Company	37	\$15,580.48	11/4/2009	11/10/2009	8910	\$15,580.48	6	
11/10/2009	Virginia Cattle Company	44	\$16,169.80	11/12/2009	11/17/2009	8944	\$16,169.80	5	
11/17/2009	Virginia Cattle Company	40	\$16,924.17	11/18/2009	12/1/2009	8984	\$16,924.17	13	
12/8/2009	Virginia Cattle Company	42	\$16,806.15	12/9/2009	12/15/2009	9065	\$16,806.15	6	
1/26/2010	Virginia Cattle Company	21	\$11,523.80	1/27/2010	2/2/2010	9252	\$11,523.80	6	